



ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು

ಸಂಪುಟ ೧೫೫ Volume 155	ಬೆಂಗಳೂರು, ಗುರುವಾರ, ೫, ಮಾರ್ಚ್, ೨೦೨೦ (ಫಾಲ್ಗುಣ ೧೫, ಶಕವರ್ಷ ೧೯೪೧) Bengaluru, THURSDAY, 5, MARCH, 2020 (Phalguna 15, ShakaVarsha 1941)	ಸಂಚಿಕೆ ೧೦ Issue 10
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ಭಾಗ ೪ಎ

ರಾಜ್ಯದ ವಿಧೇಯಕಗಳ ಮತ್ತು ಅವುಗಳ ಮೇಲೆ ಪರಿಶೀಲನಾ ಸಮಿತಿಯ ವರದಿಗಳು, ರಾಜ್ಯದ ಅಧಿನಿಯಮಗಳು ಮತ್ತು ಆಧ್ಯಾದೇಶಗಳು, ಕೇಂದ್ರದ ಮತ್ತು ರಾಜ್ಯದ ಶಾಸನಗಳ ಮೇರೆಗೆ ರಾಜ್ಯ ಸರ್ಕಾರವು ಹೊರಡಿಸಿದ ಸಾಮಾನ್ಯ ಶಾಸನಬದ್ಧ ನಿಯಮಗಳು ಮತ್ತು ರಾಜ್ಯಾಂಗದ ಮೇರೆಗೆ ರಾಜ್ಯಪಾಲರು ಮಾಡಿದ ನಿಯಮಗಳು ಹಾಗೂ ಕರ್ನಾಟಕ ಉಚ್ಚ ನ್ಯಾಯಾಲಯವು ಮಾಡಿದ ನಿಯಮಗಳು

GOVERNMENT OF KARNATAKA
(Department of Commercial Taxes)

No: ADCOM(Audit)/C/CR-324/19-20

Office of the
Commissioner of Commercial Taxes
(Karnataka), Vanijya Terige Karyalaya,
Kalidasa Road, Gandhinagar,
Bengaluru-560009, Dated: 13-02-2020.

NOTIFICATION

Whereas sub-section (1) of Section 38 of the Karnataka Value Added Tax Act 2003 provides that every dealer shall be deemed to have been assessed to tax based on the return filed by him under Section 35, except in cases where the Commissioner may notify the dealer of any requirement of production of books of accounts before the prescribed authority in support of a return filed for any period and such authority shall proceed to assess such dealer.-

- on the basis of the return filed, where he is satisfied that the return filed is correct and complete, or
- to the best of its judgment, where the return filed appears to be incorrect or incomplete, after giving the dealer an opportunity of showing cause against such assessment in writing and any additional tax assessed shall be paid within thirty days from the date of service of such assessment on the dealer.

Whereas different industrial policies of the Government provide for incentives and concessions in the form of tax exemption or tax based loan or re-imburement of tax paid to new industrial units and also for additional investments made for expansion/diversification/modernization.

Whereas such industrial policies and certificates issued also provide that the industrial unit shall submit all the documents, accounts to the local VAT/LGST officer for audit and the eligible amount as confirmed by the Commissioner of Commercial Taxes, for a particular period, will be considered for re-imburement from the department.

Whereas the Commissioner of Commercial Taxes vide Notification No. IPI/CR/51/ 2010-11(I), dated: 24.03.2014, has notified that every registered dealer who is an industrial unit claiming tax incentive including tax exemption or tax based loan or re-imburement of tax paid under any of the industrial policies of the State Government shall be required to produce accounts in support of the return filed by him for all the tax periods during which he is claiming such tax incentives.

Now, therefore, in exercise of the powers conferred under sub-section (1) of Section 38 of the Karnataka Value Added Tax 2003 (Karnataka Act 32 of 2004), read with sub-rule (a) of rule 45 of the Karnataka Value Added Tax Rules 2005 read with CCT Circular No.GST-15/ 2018-19 dated:26-02-2019, it is hereby notified that the dealer listed in the table below is required to produce accounts, before the prescribed authority mentioned against the name of the dealer, in support of a return filed for any period of assessment by such authority:

Sl.No.	Name and Address of the Dealer	TIN/GSTIN	Prescribed authority
1	M/s. Ultratech Cement(Unit Rajshree Cement Works), Adityanagar, Sedam Taluk, Malkhed Road, Kalburgi District,	29560318931	Local Goods & Service Tax Office-522, Sedam. Division, GST Office, Bengaluru.

(SRIKAR M.S),
Commissioner of Commercial Taxes,
(Karnataka), Bengaluru.

GOVERNMENT OF KARNATAKA

NO. CO 19 MRE 2019

Karnataka Government Secretariat
M.S.Building,
Bangalore, dated:25.02.2020

NOTIFICATION

Whereas the draft of the following rules further to amend the Karnataka Agricultural Produce Marketing (Regulation of Allotment of Property in Market Yards) Rules, 2004 which the Government of Karnataka proposes to make in exercise of the powers conferred by sec.146 of the Karnataka Agricultural Produce Marketing (Regulation and Development) Act, 1966 (Karnataka Act No.27 of 1966) was published as required by sub-section(1) of the said section in notification No:SAE/19/MRE/2019, dated:12/12/2019 in part-IV-A in Karnataka Gazette dated:16th day of January 2020 inviting objections and suggestions from all persons likely to be affected thereby within fifteen days from the date of its publication in the official Gazette.

And whereas the said Gazette was made available to the public on dated:16th day of January 2020.

And whereas, no objections or suggestions have been received in respect of the said draft.

Now, therefore, in exercise of the powers conferred by sub-sec(1) of Section 146 of the Karnataka Agricultural Produce Marketing (Regulation and Development) Act, 1966 (Karnataka Act 27 of 1966) the Government of Karnataka hereby makes the following rules namely:-

RULES

1. **Title and commencement:-** (1) These rules may be called the Karnataka Agricultural Produce Marketing (Regulation of allotment of Property in Market Yards) (Amendment) Rules 2019.

(1) They shall come into force from the date of their publication in the official Gazette.

2. **Amendment of rule 7.-** In the Karnataka Agricultural Produce Marketing (Regulation of Allotment of Property in Market Yards) Rules, 2004 (hereinafter referred to as the said rules) in Rule 7, in sub-rule(1), after the word “organization”, the words, brackets and figures “Farmer-Producer Organization registered under section 581A of the Companies Act, 1956 (Central Act 01 of

1956) or under first proviso to sub-section(1) of section 465 of the companies Act, 2013” shall be inserted.

3. Amendment to Rule 17.- In rule 17 of the Karnataka Agricultural Produce Marketing (Regulation of Allotment of Property in Market Yards) Rules, 2004 (hereinafter referred to as the said rules),-

(i) Rule 17(2) shall be numbered as “17(2)(a)”.

(ii) after Rule 17(2)(a), the following shall be inserted, namely.-

“(2)(b) Out of sites, shops, shop-cum-godown or godown to be allotted by the market committee, about ten percent may be reserved in each category for allotment in favour of Farmer-Producer Organizations not less than fifty percent of the site value fixed under rule 5 or leave and license fee fixed under rule 13(5) as the case may be.”

By Order and in the name of the
Governor of Karnataka

(B.S. Manjunath)
Under Secretary to Government-1
Co-operation Department

PR-73

GOVERNMENT OF KARNATAKA

NO. FEE 70 FPC 2018(P-2)

Karnataka Government Secretariat,
Multi Storeyed Building,
Bengaluru, Dated:21-12-2019.

NOTIFICATION

In exercise of the powers conferred by clause (c) to sub-rule (2) of rule 16 of the Zoo Authority of Karnataka Rules read with clause (l) and (r) of article 3 of the memorandum of articles of the Zoo Authority of Karnataka, with prior approval of the State Government and in supercession of earlier regulations issued in this behalf, the Governing Council of the Zoo Authority of Karnataka hereby makes and adopt the following rules, namely:-

RULES

1. Title, commencement and application:- (1) These rules may be called the Zoo Authority of Karnataka (Cadre and Recruitment) Rules, 2019;

(2) They shall come into force from the date of its publication in the official Gazette;

(3) The provisions of these rules shall apply to all the employees of the Zoo Authority of Karnataka:

Provided that, unless so provided in these rules, these shall not apply to persons employed on daily wages, casual labour, part-time employees, contract employees, if any, and apprentices or trainees working in the Zoo Authority of Karnataka.

CHAPTER- I

PRELIMINARY

2. Definitions.- In these rules, unless the context otherwise requires,-

(a) “**Appointing Authority**” means competent authority to make appointments to posts in the Zoo Authority of Karnataka i.e., Member Secretary, Zoo Authority of Karnataka;

(b) “**Confirmation**” means a probationer who has been declared to have satisfactorily completed his probation and shall be continued against substantive vacancy;

(c) “**Direct recruit**” means a person recruited directly in accordance with the provisions of these rules;

(d) “**Employee**” means any person in the whole time employment of Zoo Authority of Karnataka;

(e) “**Executive Director**” means Executive Director of the Zoos under the Zoo Authority of Karnataka;

(f) “**Government**” means the Government of Karnataka;

(g) “**Head Office**” or “**Central Office**” means the office of the Member Secretary, Zoo Authority of Karnataka;

(h) “**Memorandum of Association**” means Memorandum of Association of the Zoo Authority of Karnataka and includes rules made thereunder;

(i) “**Member Secretary**” means the Member Secretary of the Zoo Authority of Karnataka;

(j) **“Officiating Appointment”** means appointment of an employee in a promotional post by the competent authority to perform the duties of a higher post;

(k) **“Permanent Employee”** means an employee whose services are confirmed in writing against substantive post of the Zoo Authority of Karnataka, by the competent authority;

(l) **“Permanent Post”** means a substantive post created by competent authority without specifying any definite period;

(m) **“Probationer”** means a person employed on probation and also includes employee who is on an extended period of probation against a sanctioned substantive post;

(n) **“Promotion”** means appointment of an employee in service by competent authority from one cadre to another cadre carrying higher pay scale in accordance with these rules;

(o) **“Promotion Committee”** means a committee constituted under these rules by the competent authority for the purpose of selection of employees for promotion;

(p) **“Recruitment or Selection Committee”** means a committee constituted under these rules for the purpose of selection of personnel and the procedure for appointment to the posts to be filled by direct recruitment, as provided in these rules;

(q) **“Registered Office”** means the Registered Office of the Zoo Authority of Karnataka;

(r) **“Sanctioned Strength”** means number of posts sanctioned in various scales or categories by the competent authority in respect of each Zoo or Unit etc., of the Zoo Authority of Karnataka;

(s) **“Schedule”** means Schedule appended to these rules;

(t) **“Society”** means **“the Zoo Authority of Karnataka”** registered under the Karnataka Societies Registration Act, 1960; and

(u) **“Zoo Authority of Karnataka”** means the Zoo Authority of Karnataka which includes all its constituent units or Zoos, under its jurisdiction.

CHAPTER- II

CLASSIFICATION OF POSTS AND SERVICES

3. Pay scale and classification of services:- (1) The scales of pay and categories of posts in Group (A, B, C, D) in the various posts of the Zoo Authority of Karnataka shall be classified as specified under sub-rule (2) based on the

scales of pay accorded to it, taking into consideration the financial resources of the Zoo Authority of Karnataka. The present scale of pay in the Zoo Authority of Karnataka is as per the Karnataka Civil Services (Revised Pay) Rules, 2018 and related orders as contained in Government Order No. FD 06 SRP 2018 Bangalore dated: 19-04-2018 and as revised by the Government from time to time.

(2) The posts in Zoo Authority of Karnataka shall be classified in the following categories, based on the scales of pay.

Group	Posts carrying Pay Scales
A	Rs. 52650-97100 and above
B	Rs. 40900 – 78200 and above, but below 52650-97100
C	Rs.21400– 42000 and above, but below 37900– 70850
D	Rs. 17000-28950 & 18600 – 32600

(* Group-wise details of different category of Posts have been furnished in Schedule-II)

(3) Employees shall be granted such Dearness Allowance, House Rent Allowance and City Compensatory Allowance etc., as admissible to Government servants as per rules.

(4) Subject to the modifications in schedule-III of these rules, the Karnataka Civil Service Rules and the Karnataka Civil Services (Classification, Control and Appeal) Rules, 1957 shall mutatis mutandis be applicable to the employees of the Zoo Authority of Karnataka.

CHAPTER- III

4. Cadre Strength and scales of pay of the posts, method of recruitment and qualification:- The establishment of the Zoo Authority of Karnataka shall consists of various categories of posts with scale of pay specified in column (2) of Schedule-I and their number, the method of recruitment and minimum qualification and experience required shall be as provided in columns (3), (4), (5) and (6) thereof.

CHAPTER- IV

5. General conditions relating to direct recruitment:- The following general conditions shall apply to all direct recruitment to the posts in the Zoo Authority of Karnataka, namely:-

(a) A candidate for appointment in the service of the Zoo Authority of Karnataka shall be a citizen of India other than a person of any other nationality or any other person as notified by the Government, from time to time.

(b) **Age limit:-** No person shall be eligible for appointment unless he has attained the age of eighteen years. The maximum age limit for entry into the services of the Zoo Authority of Karnataka shall be thirty five years for the persons belonging to General merit, thirty eight years for the persons belonging to Other backward classes and forty years for the persons belonging to

scheduled castes or scheduled tribes category or as prescribed by Government, from time to time. However, in respect of in-service personnel, the age limit shall be relaxed by the number of years during which he is or was holding such post or ten years, whichever is less.

(c) No person shall be appointed unless he has been certified to be medically fit to discharge his duties, by an authorised medical officer.

(d) No person shall be eligible for appointment who has been convicted in a court of Law for any offence involving moral turpitude or he has been previously dismissed or compulsorily retired on account of proved misconduct or doubtful integrity.

(e) A person who is married and having a living spouse and got second marriage with any person, shall not be eligible for appointment in the services of the Zoo Authority of Karnataka.

(f) Without prejudice to the general provisions specified in these rules, no person shall be appointed unless the Appointing Authority is satisfied that the person is fit for appointment in all respects. The decision of the Appointing Authority shall be final.

(g) All the appointments shall be subject to verification of their character and antecedents. In case of an adverse report, the services of the employee, if already appointed shall be liable for termination.

(h) The directions of the Government from time to time relating to recruitment or promotion or seniority to the various posts shall be adhered to.

CHAPTER- V

6. Reservation of vacancies:- (1) Appointments or posts shall be reserved for the members of the scheduled castes, scheduled tribes and other backward classes to such extent and in such manner as may be specified by the Government under Article 16(4), Article 16(4A) and Article 371J of the Constitution of India.

(2) Reservation of vacancies, age, qualification, etc., in so far as it relates to and employment of physically handicapped persons shall be regulated as per directions of the Government, from time to time.

CHAPTER-VI

7. Direct recruitment:- (1) When a post other than First Division Assistant, Second Division Assistant, Stenographer and Typist is to be filled by the method of direct recruitment, it shall be filled on the basis of merit by following the rules as specified in the Karnataka Civil Services (Direct Recruitment by Competitive Examinations and Selection)

(General) Rules, 2006 and the Karnataka Public Employment (Reservation in appointment for Hyderabad-Karnataka Region) Order, 2013 issued vide Notification No. DPAR 06 PLX 2012 Bangalore, dated: 06-11-2013 and as amended from time to time.

(2) Direct recruitment vacancies shall be notified in accordance with these rules. Eligible applicants who possess the required qualifications and experience can apply. Such departmental candidates shall be treated at par with outside candidates. The direct recruitment shall be conducted through advertising in newspapers and other media.

(3) All the notified vacancies shall be displayed on the Notice Board of Zoo Authority of Karnataka.

(4) Candidates shall be shortlisted on the basis of marks secured by the candidates in the qualifying examinations. The number of candidates called for skill based test or written test shall be three times the number of vacancies, subject to calling candidates belonging to scheduled castes, scheduled tribes and other backward classes in the same ratio to the extent vacancies are reserved for them.

(5) Interviews or skill tests shall be held by the Recruitment Committee of the Zoo Authority of Karnataka constituted by the competent authority, from time to time.

(6) The practical tests for skill oriented posts shall be conducted with reference to the job content of the post for which selection is being considered and interview shall be conducted to test the suitability of the candidate to the post for which selection is being considered.

(7) The following posts of Group C and D category are basically skill oriented posts and recruiting personnel must have the knowledge of animal behaviour, health, attitude besides knowledge in handling of animals etc., Hence, experience is also one of the main criteria to be considered while recruiting the personnel. Accordingly, special qualifications like working experience in Zoo prescribed for the following posts. The Recruitment Committee constituted at the time of recruitment shall assess the suitability of the candidates, professional knowledge, experience, performance in practical or written test in the order of merit as prescribed in mode of recruitment for these posts and the qualifications prescribed and the number of posts etc., as in the Schedule-I.

- 1) Junior Lepidopterist
- 2) Education Officer
- 3) Biologist
- 4) Animal Supervisor (Inventory)
- 5) Librarian (Assistant)
- 6) Animal Keeper

- 7) Assistant Animal Keeper
- 8) Mahouts
- 9) Kavadi
- 10) Gardener

(8) The Recruitment Committee shall decide for selection of candidate, as far as possible in accordance with the Karnataka Civil Services (Direct Recruitment by Competitive Examinations and Selection) (General) Rules, 2006. After the selection process, the Recruitment Committee shall send the select list along with waiting list of candidates not exceeding ten percent of the vacancies notified, to the appointing authority for further process.

(9) The Appointing Authority shall issue the appointment order, in the Order in which their names appear in the selection list after verifying the antecedents and other certificates of the applicants to the satisfaction and medical fitness of the candidates.

CHAPTER-VII

8. Recruitment Committee for direct recruitment:-

(1) Composition:- Direct recruitment to any vacancies, specified as such in the Schedule in the Zoo Authority of Karnataka shall be made by the Appointing Authority on the basis of the recommendations of the Selection Committee. The Selection Committee for making direct recruitment shall consist of the following, namely:-

- (i) Executive Director, Bannerghatta Biological Park, Bengaluru shall be the Chairman of the Selection Committee;
- (ii) Executive Director, Sri Chamarajendra Zoological Gardens, Mysuru shall be the Secretary of the Committee;
- (iii) Assistant Director (Veterinary Services), Sri Chamarajendra Zoological Gardens, Mysuru or Bannerghatta Biological Park, Bengaluru; and
- (iv) District Social Welfare Officer, Mysuru.

(2) Selection Procedure:-

(a) Selection to the category of posts of First Division Assistant and Second Division Assistant shall be filled in accordance with the Karnataka Civil Services (Recruitment to Ministerial Posts) Rules, 1978.

(b) Selection to the category of posts of Stenographer and Typist shall be filled in accordance with the Karnataka Civil Services (Recruitment to posts of Stenographers and Typists) Rules, 1983.

(c) In respect of posts other than those filled under sub-rule (2) (a) and (b) shall be filled by selection made by Selection Committee constituted under sub-rule (1) in accordance with the Karnataka Civil Services

(Direct Recruitment by Competitive Examinations and Selection) (General) Rules, 2006.

(d) The Appointing Authority shall issue appointment orders to the candidates in the order of merit.

(e) The appointments shall be made on probation and the period of probation shall be one year which may be extended by another year at the discretion of the Appointing Authority in pursuance of the Karnataka Civil Services (Probation) Rules, 1977. During the period of probation or extended period of probation, the Appointing Authority may discharge the services of the probationer without assigning any reason whatsoever by giving one month's notice in case of Executives and non-Executives who have put in more than ninety days of service. One day's notice shall be given in the case of other non-executives who have put in ninety days or less service. The probationer may likewise quit the services of Zoo Authority of Karnataka by giving one month's notice in the case of Executives and those Non-Executives who had put in ninety days of service. One day's notice shall be given by the non-executives who have put in ninety days or less period of probation. Pay in lieu of notice may also be given by either party to each other.

(f) The candidate found guilty of impersonation or submitting fabricated documents or making statement which are incorrect or false or attempt to use unfair means for purpose of recruitment shall be liable to criminal prosecution and his candidature is liable to be rejected, or if already appointed, his services are liable to be terminated without giving any benefits whatsoever.

(g) Joining time for reporting for duty shall be thirty days from the date of dispatch of the appointment order. However, in exceptional cases, the Appointing Authority for reasons to be recorded in writing may extend the period of joining time.

(3) Disciplinary proceedings for misconduct: Anything which is done or left undone by an employee contrary to rules, such as, an act or omission or remaining neutral, negligence, collusion or any kind of behavior with or without reason by an employee of Zoo Authority of Karnataka resulting in loss, fraud, embezzlement, damage to property etc., to Zoo Authority of Karnataka, public and others or causing agony, embarrassment, nuisance, torture etc., amounts to misconduct, can be dealt under the Karnataka Civil Services (Classification, Control and Appeal) Rules, 1957 subject to modification specified in Schedule-II and the Karnataka Civil Services (Conduct) Rules, 1966 which are applicable to Zoo Authority of Karnataka employees for disciplinary action, following due procedure as prescribed in the said rules, as amended by the Government from time to time. The officers or officials on deputation are subjected to the Zoo rules & regulations and for any misconduct shall be dealt with under the Karnataka Civil Services (Classification, Control and Appeal) Rules, 1957 by following the procedure. The details of Appointing Authority, Disciplinary Authority and

Appellate Authority to the employees of the Zoo Authority shall be as specified in schedule – II.

CHAPTER-VIII

9. Promotion committee:- (1) Promotion committee for various posts of Zoo Authority of Karnataka employees shall comprise of the following, namely:-

- (i) Executive Director, Bannerghatta Biological Park, Bengaluru; Chairman
- (ii) Executive Director, Sri Chamarajendra Zoological Gardens, Mysuru; and secretary of the committee
- (iii) Assistant Director (Veterinary Services), Sri Chamarajendra Zoological Gardens, Mysuru or Bannerghatta Biological Park, Bengaluru.

(2) In making promotion, the guiding principles shall be to ensure that suitability of the candidates for promotion shall be decided on an objective and impartial manner.

(3) While considering for promotions (among other things) the Annual Performance Reports for the previous five years shall be taken into account.

(4) Promotion shall be on the basis of seniority cum merit as per existing rules and regulations. An employee shall not be eligible for promotion wherever his overall grading in any of his Annual Performance Reports for the preceding five years is found unsatisfactory or below average or poor or that he is physically or mentally not able to carry out the duties as required.

(5) The Selection Lists shall be valid for a period of one year from the date of its approval. The validity period of the Selection Lists may be extended by six months with the approval of the Member Secretary.

(6) The Promotion committee shall submit its recommendation to the Appointing Authority who may approve in full or part or set aside its recommendations. The Appointing Authority shall record its reasons in writing while setting aside the recommendations, partly or wholly, and may appoint a higher level Committee to review the recommendations of the Departmental Promotion Committee.

(7) Promotions from the Selection List shall be made by fixing officiating period of one year and the promotee shall be confirmed on satisfactory completion of the officiating period. If during or at the end of this period, his performance is found unsatisfactory the Appointing Authority may extend the officiating period for further period of one year or in the alternative revert him to the post held by him before such promotion.

(8) Eligibility conditions regarding age and educational qualification prescribed for direct recruitment may not generally applicable in the case of promotions. The Appointing Authority, however reserves its right to relax, specify or prescribe such conditions as may be necessary for due performance of the duties of the post. Further, employees who are recruited directly by the Zoo

Authority of Karnataka for the posts with no promotional opportunities shall be provided time bound increment and other monetary benefits, subject to fulfilment of conditions prescribed in the service rules & regulations applicable to the State Government employees.

CHAPTER-IX

10. Seniority:- The Seniority of employees in the same grade shall be determined as follows:-

(1) In case of direct recruits, selected and appointed on the basis of competitive examination or test or interview, the seniority of the candidates shall be determined on the basis of original merit list prepared by the Selection Committee. The Seniority shall be fixed as specified in the Karnataka Government Servants (Seniority) Rules, 1957 and amendments made thereto, from time to time.

(2) On each occasion of promotion, the seniority of promotees shall be determined in accordance with their inter-se seniority in the cadre from which they have been promoted.

(3) The Inter-se Seniority of direct recruit vis-à-vis promotee in the same grade or scale shall be determined on the basis of the date of issue of the appointment order. If the date of order of appointment is the same, then direct recruits shall be placed above the promotees.

(4) **Seniority List:-** Seniority list of all employees of the Zoo Authority of Karnataka shall be prepared cadre-wise by the Appointing Authority and published for information of all the employees, inviting objections, etc., if any, from the employee likely to be aggrieved. After considering the objections and suggestions, the final list shall be issued.

(5) **Retirement:-** The retirement age on superannuation of the employees of the Zoo Authority of Karnataka, shall be sixty years. An employee shall retire on the last date of the month on completion of sixty years of age, in case, his date of birth falls second and onwards in that month. If the date of birth falls on first of the month, he shall retire on the last date of previous month.

Chapter-X

11. Other rules governing direct recruitment, promotion, etc:-

(1) The Zoo Authority of Karnataka employees applying for the posts earmarked for direct recruitment shall be from a level next below the one to which direct recruitment is to be made, shall be on probation and shall fulfill the academic or professional or technical qualifications and experience required for the post.

(2) Mere completion of the required period of qualifying service in a lower scale shall not entitle any employee to claim promotion to the higher post as a matter of right and such promotion shall be regulated subject to availability of sanctioned vacant posts.

(3) The Appointing Authority may introduce programmes to upgrade the skills of the employees at various levels at Zoo Authority of Karnataka's cost. He may permit leave of absence during the training period and treat such period as on duty.

(4) The Karnataka Civil Services (Service and Kannada Language Examinations) Rules, 1974 shall mutatis mutandis be applicable to the employees of the Zoo Authority.

(5) A Service Book in Form 18 (Karnataka Civil Services Rules) shall be maintained for each employee of Zoo Authority of Karnataka from the date of his joining to service consequent to the appointment to Zoo Authority of Karnataka Service and it shall be kept in the custody of the Head of the Office in which he is serving and transferred from office to office within the jurisdiction of the Zoo Authority of Karnataka.

(6) Any employee of Zoo Authority of Karnataka is liable for transfer from one Zoo to another Zoo within the jurisdiction of the Zoo Authority of Karnataka, along with the post, if needed as per requirement from time to time.

(7) Appointments on Compassionate Grounds:- The Appointing Authority in Zoo Authority of Karnataka, Mysuru, may consider the appointment on compassionate grounds to the eligible dependent family members of the Group C and D employees of the Zoo Authority of Karnataka, who died while on duty or retired on invalid pension, as per the provisions of Karnataka Civil Services (Appointment on Compassionate Grounds) Rules, 1996 and rule 285 of Karnataka Civil Services Rules and subsequent amendments made thereto from time to time, against the vacancy available within the Zoo Authority of Karnataka, subject to following all the procedures, the criteria and conditions as prescribed by the Government from time to time.

CHAPTER-XI

12. Delegation of Powers:- The Member Secretary or the Executive Director, as the case may be, from time to time may delegate their powers to such officers or executives of the Zoo Authority of Karnataka as they may deem fit.

13. Amendments:- The amendments to the rules may be made by an Authority which made the rules.

14. Application of other rules:- The provisions of the Karnataka Civil Services Rules except the provision for sanction of pension benefits shall mutatis mutandis be applicable to the employees of Zoo Authority of Karnataka.

15. Power to remove difficulties in implementation of rules:- The Member Secretary, Zoo Authority of Karnataka, shall be empowered to issue

such administrative instructions that may be necessary to give effect to and carry out the purposes of these rules without altering its basic structure.

By order and in the
name of Governor of Karnataka,

(H.S. BHAGYALAKSHMI)
Deputy Secretary to Government,
Forest, Environment and Ecology
Department

Schedule - I

(see rule 4)

The details of the various categories of posts, scale of pay, method of recruitment and minimum qualification.

Sl. No.	Category Post and pay scale	Existing posts	Addl. posts	Method of recruitment	Minimum qualification for direct recruitment
(1)	(2)	(3)	(4)	(5)	(6)
1	Member Secretary (Rs. 182200-224100)	1	0	By deputation from the cadre of Additional Principal Chief Conservator of Forest borne of Indian Forest Service.	-
2	Executive Director (Rs. 144200-218200)	1	0	By deputation from the cadre of Chief Conservator of Forests borne of Indian Forest Service.	-
3	Executive Director (Rs. 78800-209200)	1	0	By deputation from the cadre of Deputy Conservator of Forests borne of Indian Forest Service. (to Mysuru Zoo).	-
	Executive Director (Rs. 67550-104600)	1	1	By deputation from the cadre of Deputy Conservator of Forests borne of SFS (01 post to Atal Bihari Zoo, 01 post to Shivamogga Zoo).	
4	Deputy Director /DCF (Rs. 67550-104600)	1	0	By deputation from the cadre of Deputy Conservator of Forest of State Forest Service.	-

Sl. No.	Category Post and pay scale	Existing posts	Addl. posts	Method of recruitment	Minimum qualification for direct recruitment
5	Deputy Director (AH&VS) (Rs. 67550-104600)	1	0	By deputation from Animal Husbandry & Veterinary Services Department.	-
6	Deputy Director / ACF (Rs. 52650-97100)	2	0	By deputation from the cadre of Assistant Conservator of Forest of Forest Department.	-
7	Assistant Director (AH & VS) (Rs. 52650-97100)	2	0	By deputation from the cadre of Assistant Director or Senior Veterinary Officer of Animal Husbandry & Veterinary Services.	-
8	Veterinary Officer (Rs. 48900-92700)	4	6	By deputation from the cadre of Veterinary officer from Animal Husbandry & Veterinary Services Department.	-
9	Assistant Engineer (Rs. 43100-83900)	3	0	By deputation from the cadre of Assistant Engineer of Public Works Department.	-
10	Audit Officer (Rs. 43100-83900)	1	1	By deputation from State Audit and Accounts Dept.	-
11	Range Forest Officer (Rs. 40900-78200)	13	0	By deputation from Forest Department of the cadre of Range Forest officer who has undergone training in wildlife or served in wildlife sanctuaries or National parks.	-
12	Gazetted Manager (Rs. 40900-78200)	1	1	By deputation from Forest Department.	-

Sl. No.	Category Post and pay scale	Existing posts	Addl. posts	Method of recruitment	Minimum qualification for direct recruitment
13	Junior Lepidopterist (for Butterfly Park) (Rs. 40900-78200)	0	1	By direct recruitment.	<ol style="list-style-type: none"> 1) Must have knowledge of Kannada language. 2) Must possess M.Sc in Agricultural Sciences from a university established by Law in India. 3) Preferably made research contribution in order Lepidoptera or experience in major Butterfly conservation projects. 4) Notwithstanding anything contained in rule 6 of the Karnataka Civil Services (General Recruitment) Rules, 1977, in case of a candidate who was holding or working as Animal Keeper in any Zoo on adhoc basis, the maximum age limit for appointment shall be deemed to be enhanced by the number of years during which he is or was holding or working in such post or ten years whichever is less. 5) Notwithstanding anything contained in rule 4 of the Karnataka Civil Services (General Recruitment) Rules, 1977 and the Karnataka Civil Services (Direct Recruitment by Competitive examination and Selection)(General) Rules, 2006 weightage of one mark for every completed years of service for a candidate, who is or holding post on adhoc basis or temporary service for number of years of service, subject to a maximum of ten marks.

Sl. No.	Category Post and pay scale	Existing posts	Addl. posts	Method of recruitment	Minimum qualification for direct recruitment
					<p>6) Notwithstanding anything contained in Rule 6 of the Karnataka Civil Services (General Recruitment) Rules, 1977, candidates must have attained the age of eighteen years on the last date of receipt of application and must not have attained the age of:-</p> <p>(i) Forty years in case of persons belonging to the scheduled castes or scheduled tribes or category-1 of other backward classes;</p> <p>(ii) In the case of a candidate who is an ex-servicemen discharged from the service by reason of demobilization, retrenchment or retirement, the age limit shall be relaxed by three years of service rendered by him in the Armed Forces of Union; and</p> <p>iii) for all other categories, the age limit shall be as specified in the Karnataka Civil Services (General Recruitment) Rules, 1977 in force and as amended from time to time.</p>

Sl. No.	Category Post and pay scale	Existing posts	Addl. posts	Method of recruitment	Minimum qualification for direct recruitment
14	Assistant Horticulture Officer (Rs. 40900-78200)	1	1	By deputation from Horticulture Department.	-
15	Accounts Superintendent (Rs. 40900-78200)	0	1	By deputation from State Audit and Accounts Department.	-
16	Superintendent (Rs. 37900-70850)	1	1	By deputation from Forest Department.	-
17	Biologist (Rs. 37900-78850)	0	2	By direct recruitment	<p>(1) Must have knowledge of Kannada language.</p> <p>(2) Must be holder of Bachelor Degree in Botany or Zoology or Wildlife Science from a University established by Law in India.</p> <p>(3) Must have working experience of five years in any Zoos.</p> <p>(4) Notwithstanding anything contained in rule 6 of the Karnataka Civil Services (General Recruitment) Rules, 1977, in case of a candidate who was holding or working as Animal Keeper in any Zoo on adhoc basis, the maximum age limit for appointment shall be deemed to be enhanced by the number</p>

					<p>or was holding or working in such post or ten years whichever is less.</p> <p>(5) Notwithstanding anything contained in rule 4 of the Karnataka Civil Services (General Recruitment) Rules, 1977 and the Karnataka Civil Services (Direct Recruitment by Competitive examination and Selection)(General) Rules, 2006 weight-age of one mark for every completed years of service for a candidate, who is or holding post on adhoc basis / temporary service for number of years of service, subject to a maximum of ten marks.</p> <p>(6) Notwithstanding anything contained in Rule 6 of the Karnataka Civil Services (General Recruitment) Rules, 1977, candidates must have attained the age of eighteen years on the last date of receipt of application and must not have attained the age of:</p> <p>(i) Forty years in case of persons belonging to the scheduled castes or scheduled tribes or category-1 of other backward classes;</p>
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Sl. No.	Category Post and pay scale	Existing posts	Addl. posts	Method of recruitment	Minimum qualification for direct recruitment
					<p>ii) In the case of a candidate who is an ex-servicemen discharged from the service by reason of demobilization, retrenchment or retirement, the age limit shall be relaxed by three years of service rendered by him in the Armed Forces of Union; and</p> <p>(iii) for all other categories, the age limit shall be as specified in the Karnataka Civil Services (General Recruitment) Rules, 1977 in force and as amended from time to time.</p>

18	Education Officer (Rs. 37900-70850)	0	2	By direct recruitment	<p>(1) Must have knowledge of Kannada language.</p> <p>(2) Must be holder of Bachelor Degree in Zoology or Wildlife Science from a University established by Law in India.</p> <p>(3) Should have working experience of five years in any Zoos.</p> <p>(4)Notwithstanding anything contained in rule 6 of the Karnataka Civil Services (General Recruitment) Rules, 1977 in case of a candidate who was holding or working as Animal Keeper in any Zoo on adhoc basis, the maximum age limit for appointment shall be deemed to be enhanced by the number of years during which he is or was holding / working in such post or ten years whichever is less.</p> <p>(5)Notwithstanding anything contained in rule 4 of the Karnataka Civil Services (General Recruitment) Rules, 1977 and the Karnataka Civil Services (Direct Recruitment by Competitive examination and Selection)(General) Rules, 2006 weightage of one mark for every</p>
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Sl. No.	Category Post and pay scale	Existing posts	Addl. posts	Method of recruitment	Minimum qualification for direct recruitment
					<p>completed years of service for a candidate, who is or holding post on adhoc basis or temporary service for number of years of service, subject to a maximum of ten marks.</p> <p>(6) Notwithstanding anything contained in rule 6 of the Karnataka Civil Services (General Recruitment) Rules, 1977, candidates must have attained the age of eighteen years on the last date of receipt of application and must not have attained the age of:-</p> <p>(i) Forty years in case of persons belonging to the scheduled castes or scheduled tribes or category-1 of other backward classes;</p> <p>(ii) In the case of a candidate who is an ex-servicemen discharged from the service by reason of demobilization, retrenchment or retirement, the age limit shall be relaxed by three years of service rendered by him in the Armed Forces of Union; and</p> <p>(iii) for all other categories, the age limit shall be as specified in the Karnataka Civil Services (General Recruitment) Rules, 1977 in force and as amended from time to time.</p>
19	Lab Technician (Rs. 30350-58250)	0	2	Mode of Recruitment shall be done with prior approval of State Government.	-

Sl. No.	Category Post and pay scale	Existing posts	Addl. posts	Method of recruitment	Minimum qualification for direct recruitment
20	First Division Assistant (Rs. 27650-52650)	2	-	Thirty percent by deputation from Forest Department.	-
		-	5	(1) Thirty five percent percent of posts by direct recruitment. (2) Thirty five percent by promotion from the Cadre of Second Division Assistant.	For direct recruitment: Must be a holder of Bachelor Degree from a University established by Law in India and recruitment shall be through KPSC. For promotion: Must have put in a service of not less than seven years in the Cadre of Second Division Assistant as per Seniority.
21	Deputy Range Forest Officer (Rs. 23500-47650)	17	0	By deputation from the equivalent cadre of Forest Department.	-
22	Surveyor (Rs. 23500-47650)	1	0	By deputation from the equivalent cadre of Forest	-
23	Animal Supervisor (Inventory) (Rs. 23500-47650)	0	3	By direct recruitment.	(1) Must have knowledge of Kannada language. (2) Must have put in service of five years in any Zoo. (3) Must have passed SSLC and possess a Certificate in Computer Course. (4) Notwithstanding anything contained in rule 6 of the Karnataka Civil Services (General Recruitment) Rules, 1977, in case of a candidate who was holding or working as Animal Keeper in any Zoo on adhoc basis, the maximum age limit for appointment shall be deemed to be enhanced by the number of years during which he is or was holding or working in such post or ten years whichever is less.

Sl. No.	Category Post and pay scale	Existing posts	Addl. posts	Method of recruitment	Minimum qualification for direct recruitment
					<p>(5) Notwithstanding anything contained in rule 4 of the Karnataka Civil Services (General Recruitment) Rules, 1977 and the Karnataka Civil Services (Direct Recruitment by Competitive examination and Selection)(General) Rules, 2006 weightage of one mark for every completed years of service for a candidate, who is or holding post on adhoc basis or temporary service for number of years of service, subject to a maximum of ten marks.</p> <p>(6) Notwithstanding anything contained in rule 6 of the Karnataka Civil Services (General Recruitment) Rules, 1977, candidates must have attained the age of eighteen years on the last date of receipt of application and must not have attained the age of:</p> <p>(i) Forty years in case of persons belonging to the scheduled castes or scheduled tribes or category-1 of other backward classes;</p> <p>(ii) In the case of a candidate who is an ex-servicemen discharged from the service by reason of demobilization, retrenchment or retirement, the age limit shall be relaxed by three years of service rendered by him in the Armed Forces of Union; and</p>

Sl. No.	Category Post and pay scale	Existing posts	Addl. posts	Method of recruitment	Minimum qualification for direct recruitment
					(iii) for all other categories, the age limit shall be as specified in the Karnataka Civil Services (General Recruitment) Rules, 1977 in force and as amended from time to time.
24	Computer Operator	0	1	Mode of Recruitment shall be done with prior approval of State Government.	-
25	Librarian (Asst.) (23500-47650)	1	0	By Direct Recruitment	<p>(1) Must have knowledge of Kannada language.</p> <p>(2) Must have passed Diploma in Library Science.</p> <p>(3) Must have put in service of five years in any Zoo.</p> <p>(4) Notwithstanding anything contained in rule 6 of the Karnataka Civil Services (General Recruitment) Rules, 1977, in case of a candidate who was holding or working as Animal Keeper in any Zoo on adhoc basis, the maximum age limit for appointment shall be deemed to be enhanced by the number of years during which he is or was holding or working in such post or ten years whichever is less.</p> <p>(5) Notwithstanding anything contained in rule 4 of the Karnataka Civil Services (General Recruitment) Rules, 1977 and the Karnataka Civil Services (Direct Recruitment by Competative examination and Selection) (General) Rules, 2006 weightage of one mark for every completed years of service</p>

Sl. No.	Category Post and pay scale	Existing posts	Addl. posts	Method of recruitment	Minimum qualification for direct recruitment
					<p>completed years of service for a candidate, who is or holding post on adhoc basis or temporary service for number of years of service, subject to a maximum of ten marks.</p> <p>(6) Notwithstanding anything contained in rule 6 of the Karnataka Civil Services (General Recruitment) Rules, 1977, candidates must have attained the age of eighteen years on the last date of receipt of application and must not have attained the age of:</p> <p>(i) Forty years in case of persons belonging to the scheduled castes or scheduled tribes or category-1 of other backward classes;</p> <p>(ii) In the case of a candidate who is an ex-servicemen discharged from the service by reason of demobilization, retrenchment or retirement, the age limit shall be relaxed by three years of service rendered by him in the Armed Forces of Union; and</p> <p>(iii) for all other categories, the age limit shall be as specified in the Karnataka Civil Services (General Recruitment) Rules, 1977 in force and as amended from time to time.</p>
26	Horticulture Assistant (Rs. 23500-47650)	0	2	By deputation from Horticulture Department.	-

Sl. No.	Category Post and pay scale	Existing posts	Addl. posts	Method of recruitment	Minimum qualification for direct recruitment
27	Animal Supervisor (Rs. 23500-47650)	0	10	By promotion from the cadre of Animal Keeper.	Must have put in service of not less than seven years in the cadre of Animal Keeper.
28	Second Division Assistant (Rs. 21400-42000)	0	6	(1)Sixty seven percent by direct recruitment in accordance with these Rules. (2)Thirty three percent by promotion from the cadre of Attender.	For direct recruitment: Must have passed PUC or equivalent examination and recruitment shall be through KPSC. For promotion: (1)Must have passed PUC. (2)Must have put in a service of not less than seven years in the cadre of Group-D as per seniority.
29	Drivers (Rs. 21400-42000)	1	-	One post by direct recruitment	(1) Must have knowledge of Kannada language. (2) Must have passed SSLC and hold valid Driving License of both LMV and HMV and preferably having experience of not less than five years in driving specially modified vehicle for shifting of animals from one zoo to another zoo within state and the country.
		-	8	Mode of Recruitment shall be done with prior approval of State Government.	-
30	Animal Keeper (Rs. 21400-42000)	0	48	(1)Fifty percent by direct recruitment. (2)Fifty percent by promotion from the cadre of Assistant Animal Keeper, who must have put in a service of not less than ten years in the cadre of Assistant Animal Keeper as per Seniority.	(1) Must have passed SSLC. (2) Must have undergone Animal Keeper Training organized by any of the Zoo. (3) Must be able to speak and understand Kannada language. (4) Must have experience in handling Animals.

Sl. No.	Category Post and pay scale	Existing posts	Addl. posts	Method of recruitment	Minimum qualification for direct recruitment
					<p>(5) Notwithstanding anything contained in rule 6 of the Karnataka Civil Services (General Recruitment) Rules, 1977, in case of a candidate who was holding or working as Animal Keeper in any Zoo on adhoc basis, the maximum age limit for appointment shall be deemed to be enhanced by the number of years during which he is or was holding or working in such post or ten years whichever is less.</p> <p>(6) Notwithstanding anything contained in rule 4 of the Karnataka Civil Services (General Recruitment) Rules, 1977 and the Karnataka Civil Services (Direct Recruitment by Competitive examination and Selection) (General) Rules, 2006 weightage of one mark for every completed years of service for a candidate, who is or holding post on adhoc basis or temporary service for number of years of service, subject to a maximum of ten marks.</p> <p>(7) Notwithstanding anything contained in rule 6 of the Karnataka Civil Services (General Recruitment) Rules, 1977, candidates must have attained the age of eighteen years on the last date of receipt of application and must not have attained the age of:</p>

Sl. No.	Category Post and pay scale	Existing posts	Addl. posts	Method of recruitment	Minimum qualification for direct recruitment
					<p>(i) Forty years in case of persons belonging to the scheduled castes or scheduled tribes or category-1 of other backward classes;</p> <p>(ii) In the case of a candidate who is an ex-servicemen discharged from the service by reason of demobilization, retrenchment or retirement, the age limit shall be relaxed by three years of service rendered by him in the Armed Forces of Union; and</p> <p>(iii) for all other categories, the age limit shall be as specified in the Karnataka Civil Services (General Recruitment) Rules, 1977 in force and as amended from time to time.</p>
31	Veterinary Lab Assistant (Rs. 21400-42000)	0	3	By deputation from the equivalent cadre from Veterinary Department.	-
32	Forest Guard (Rs. 21400-42000)	10	7	By deputation from the equivalent cadre from Forest Department.	-
33	Forest Watcher (Rs. 18600-32600)	11	8	By deputation from the equivalent cadre from Forest Department.	-
34	Mahouts (Rs. 18600-32600)	2	-	Fifteen percent by promotion from the cadre of the Elephant Kavadies; and	For promotion: Must have put in a service of not less than seven years in the cadre of Elephant Kavadies as per seniority.

Sl. No.	Category Post and pay scale	Existing posts	Addl. posts	Method of recruitment	Minimum qualification for direct recruitment
		-	7	Eighty-five percent by direct recruitment	<p>(1) Must be able to speak and understand Kannada language.</p> <p>(2) Must have experience in handling Elephants.</p> <p>(3) Notwithstanding anything contained in rule 6 of the Karnataka Civil Services (General Recruitment) Rules, 1977, in case of a candidate who was holding or working as Animal Keeper in any Zoo on adhoc basis, the maximum age limit for appointment shall be deemed to be enhanced by the number of years during which he is or was holding or working in such post or ten years whichever is less.</p> <p>(4) Notwithstanding anything contained in rule 4 of the Karnataka Civil Services (General Recruitment) Rules, 1977 and the Karnataka Civil Services (Direct Recruitment by Competitive examination and Selection) (General) Rules, 2006 weight-age of one mark for every completed years of service for a candidate, who is or holding post on adhoc basis or temporary service for number of years of service, subject to a maximum of ten marks.</p> <p>(5) Notwithstanding anything contained in rule 6 of the Karnataka Civil Services (General Recruitment) Rules, 1977, candidates must have attained the age of eighteen years on the last date of receipt of application and must not have attained the age of:</p>

Sl. No.	Category Post and pay scale	Existing posts	Addl. posts	Method of recruitment	Minimum qualification for direct recruitment
					<p>(i) Forty years in case of persons belonging to the scheduled castes or scheduled tribes or category-1 of other backward classes;</p> <p>(ii) In the case of a candidate who is an ex-servicemen discharged from the service by reason of demobilization, retrenchment or retirement, the age limit shall be relaxed by three years of service rendered by him in the Armed Forces of Union; and</p> <p>(iii) for all other categories, the age limit shall be as specified in the Karnataka Civil</p>
35	Kavadi (17000-28950)	4	16	By direct recruitment	<p>(1) Must be able to speak and understand Kannada language.</p> <p>(2) Must have experience in handling Elephants.</p> <p>(3) Notwithstanding anything contained in rule 6 of the Karnataka Civil Services (General Recruitment) Rules, 1977, in case of a candidate who was holding or working as Animal Keeper in any Zoo on adhoc basis, the maximum age limit for appointment shall be deemed to be enhanced by the number of years during which he is or was holding or working in such post or ten years whichever is less.</p>

Sl. No.	Category Post and pay scale	Existing posts	Addl. posts	Method of recruitment	Minimum qualification for direct recruitment
					<p>(4) Notwithstanding anything contained in rule 6 of the Karnataka Civil Services (General Recruitment) Rules, 1977, candidates must have attained the age of eighteen years on the last date of receipt of application and must not have attained the age of:</p> <p>(i) Forty years in case of persons belonging to the scheduled castes or scheduled tribes or category-1 of other backward classes;</p> <p>(ii) In the case of a candidate who is an ex-servicemen discharged from the service by reason of demobilization, retrenchment or retirement, the age limit shall be relaxed by three years of service rendered by him in the Armed Forces of Union; and</p> <p>(iii) for all other categories, the age limit shall be as specified in the Karnataka Civil Services (General Recruitment) Rules, 1977 in force and as amended from time to time.</p>
36	Gardener (Rs.17000-28950)	12	0	By direct recruitment	<p>(1) Must have passed SSLC.</p> <p>(2) Must be able to speak and understand Kannada language.</p> <p>(3) Must have specialized skills in handling animals / Gardening and should have minimum five years experience in any Zoos, as well as gardening experience in Horticulture Department.</p>

SI. No.	Category Post and pay scale	Existing posts	Addl. posts	Method of recruitment	Minimum qualification for direct recruitment
					<p>(4) Notwithstanding anything contained in rule 6 of the Karnataka Civil Services (General Recruitment) Rules, 1977, in case of a candidate who was holding or working as animal keeper/gardener in any Zoo on adhoc basis, the maximum age limit for appointment shall be deemed to be enhanced by the number of years during which he is or was holding or working in such post or ten years whichever is less.</p> <p>(5) Notwithstanding anything contained in rule 4 of the Karnataka Civil Services (General Recruitment) Rules, 1977 and the Karnataka Civil Services (Direct Recruitment by Competitive examination and Selection)(General) Rules, 2006 weight-age of one mark for every completed years of service for a candidate, who is or holding post on adhoc basis or temporary service for number of years of service, subject to a maximum of ten marks.</p> <p>(6)Notwithstanding anything contained in rule 6 of the Karnataka Civil Services (General Recruitment) Rules, 1977, candidates must have attained the age of eighteen years on the last date of receipt of application and must not have attained the age of:</p> <p>(i) Forty years in case of persons belonging to the scheduled castes or scheduled tribes or category-1 of other backward classes;</p>

Sl. No.	Category Post and pay scale	Existing posts	Addl. posts	Method of recruitment	Minimum qualification for direct recruitment
					<p>(ii) In the case of a candidate who is an ex-servicemen discharged from the service by reason of demobilization, retrenchment or retirement, the age limit shall be relaxed by three years of service rendered by him in the Armed Forces of Union; and</p> <p>(iii) for all other categories, the age limit shall be as specified in the Karnataka Civil Services (General Recruitment) Rules, 1977 in force and as amended from time to time.</p>
		0	3	Mode of Recruitment shall be done with prior approval of State Government.	—
37	Assistant Animal Keeper (Rs. 17000-28950)	41	110	By direct recruitment.	<p>(1) Must have passed SSLC.</p> <p>(2) Must have undergone Animal Keeper Training organized by any of the Zoo.</p> <p>(3) Must be able to speak and understand Kannada language.</p> <p>(4) Must have experience in handling Animals.</p> <p>(5) Notwithstanding anything contained in rule 6 of the Karnataka Civil Services (General Recruitment) Rules, 1977, in case of a candidate who was holding or working as Animal Keeper in any Zoo on adhoc basis, the maximum age limit for appointment shall be deemed to be enhanced by the number of</p>

Sl. No.	Category Post and pay scale	Existing posts	Addl. posts	Method of recruitment	Minimum qualification for direct recruitment
					<p>years during which he is or was holding or working in such post or ten years whichever is less.</p> <p>(6) Notwithstanding anything contained in rule 4 of the Karnataka Civil Services (General Recruitment) Rules, 1977 and the Karnataka Civil Services (Direct Recruitment by Competitive examination and Selection)(General) Rules, 2006 weightage of one mark for every completed years of service for a candidate, who is or holding post on adhoc basis or temporary service for number of years of service, subject to a maximum of ten marks.</p> <p>(7) Notwithstanding anything contained in rule 6 of the Karnataka Civil Services (General Recruitment) Rules, 1977, candidates must have attained the age of eighteen years on the last date of receipt of application and must not have attained the age of:</p> <p>(i) Forty years in case of persons belonging to the scheduled castes or scheduled tribes or category-1 of other backward classes;</p> <p>(ii) In the case of a candidate who is an ex-servicemen discharged from the service by reason of demobilization, retrenchment or retirement, the age limit shall be relaxed by three years of service rendered by him in the Armed Forces of Union; and</p>

Sl. No.	Category Post and pay scale	Existing posts	Addl. posts	Method of recruitment	Minimum qualification for direct recruitment
					(iii) for all other categories, the age limit shall be as specified in the Karnataka Civil Services (General Recruitment) Rules, 1977 in force and as amended from time to time.
38	Attender (Peon) (Rs. 17000-28950)	0	6	Mode of Recruitment shall be done with prior approval of State Government.	-
	Total number of posts	136	262	398	

(H.S. BHAGYALAKSHMI)
Deputy Secretary to Government,
Forest, Environment and Ecology
Department

SCHEDULE II

Group-wise details of different category of Posts

Sl. No.	Category of Posts	Existing Posts	Addl. Posts	Total Posts
	GROUP-A			
1	Member Secretary – from Cadre of APCCF – IFS borne	1	0	1
2	Executive Director – from Cadre of CCF – IFS borne	1	0	1
3	Executive Director – from Cadre of DCF-IFS borne	1	0	1
	Executive Director – from Cadre of DCF	1	1	2
4	Deputy Director /DCF – from Cadre of DCF – SFS borne	1	0	1
5	Deputy Director (AH&VS)- from AH&VS Dept.	1	0	1
6	Deputy Director / ACF – from Cadre of ACF	2	0	2
7	Assistant Director (AH & VS)- from Cadre of Asst. Director or Senior Veterinary Officer	2	0	2
	TOTAL OF GROUP-A	10	1	11
	GROUP-B			
8	Veterinary Officer	4	6	10
9	Assistant Engineer	3	0	3
10	Audit Officer	1	1	2
11	Range Forest Officer	13	0	13
12	Gazetted Manager	1	1	2
13	Assistant Horticulture Officer	1	1	2
14	Accounts Superintendent	0	1	1
	TOTAL OF GROUP-B	23	10	33
	GROUP-C			

Sl. No.	Category of Posts	Existing Posts	Addl. Posts	Total Posts
15	Superintendent	1	1	2
16	Junior Lepidopterist (for Butterfly Park)	0	1	1
17	Biologist	0	2	2
18	Education Officer	0	2	2
19	Lab Technician	0	2	2
20	First Division Assistant	2	0	2
		0	5	5
21	Deputy Range Forest Officer	17	0	17
22	Surveyor	1	0	1
23	Animal Supervisor (Inventory)	0	3	3
24	Computer Operator	0	1	1
25	Librarian(Asst.)	1	0	1
26	Horticulture Assistant	0	2	2
27	Animal Supervisor	0	10	10
28	Second Division Assistant	0	6	6
29	Driver	1	0	1
		0	8	8
30	Animal Keeper	0	48	48
31	Veterinary Lab Assistant	0	3	3
32	Forest Guard	10	7	17
	TOTAL OF GROUP-C	33	101	134

	GROUP-D			
33	Forest Watcher	11	8	19
34	Mahouts	2	0	2
		0	7	7
35	Kavadi	4	16	20
36	Gardener	12	0	12
	Gardener	0	3	3
37	Assistant Animal Keeper	41	110	151
38	Attender (Peon)	0	6	6
	TOTAL OF GROUP-D	70	150	220
	Total of Group A+B+C+D	136	262	398

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Deputy Secretary to Government,
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SCHEDULE – III
(see sub-rule (3) of rule 8)

**Details of Disciplinary Authority & Appellate Authority to the employees of
Zoo Authority of Karnataka:-**

Class of Post		Authority empowered to impose penalties as disciplinary authority		Appellate authority
		Authority	Penalties	
1		2	3	4
I	O/o the Member Secretary, Zoo Authority of Karnataka, Mysuru.			
1	First Division Assistant	Member Secretary	(ii) to (iv-a) (v) to (vii)	Principle Chief Conservator of Forests (Wild Life) / Vice-Chairman, Zoo Authority of Karnataka
2	Animal Supervisor (Inventory)	Member Secretary	(ii) to (iv-a) (v) to (vii)	Principle Chief Conservator of Forests (Wild Life) / Vice-Chairman, Zoo Authority of Karnataka
II	O/o the Executive Director of various Zoos under Zoo Authority of Karnataka.			
1	Junior Lepidopterist (for Butterfly Park)	Executive Director of the Zoo	(ii) to (iv-a) (v) to (vii)	Member Secretary, Zoo Authority of Karnataka
2	Biologist	Executive Director of the Zoo	(ii) to (iv-a) (v) to (vii)	Member Secretary, Zoo Authority of Karnataka
3	Education Officer	Executive Director of the Zoo	(ii) to (iv-a) (v) to (vii)	Member Secretary, Zoo Authority of Karnataka
4	First Division Assistant	Executive Director of the Zoo	(ii) to (iv-a) (v) to (vii)	Member Secretary, Zoo Authority of Karnataka
5	Animal Supervisor (Inventory)	Executive Director of the Zoo	(ii) to (iv-a) (v) to (vii)	Member Secretary, Zoo Authority of Karnataka
6	Animal Supervisor	Executive Director of the Zoo	(ii) to (iv-a) (v) to (vii)	Member Secretary, Zoo Authority of Karnataka
7	Librarian	Executive Director of the Zoo	(ii) to (iv-a) (v) to (vii)	Member Secretary, Zoo Authority of Karnataka
8	Second Division Assistant	Executive Director of the Zoo	(ii) to (iv-a) (v) to (vii)	Member Secretary, Zoo Authority of Karnataka
9	Driver	Executive Director of the Zoo	(ii) to (iv-a) (v) to (vii)	Member Secretary, Zoo Authority of Karnataka
10	Animal Keeper	Executive Director of the Zoo	(ii) to (iv-a) (v) to (vii)	Member Secretary, Zoo Authority of Karnataka
11	Mahout	Executive Director of the Zoo	(i) to (iv-a) (v) to (vii)	Member Secretary, Zoo Authority of Karnataka
12	Kavadi	Executive Director of the Zoo	(i) to (iv-a) (v) to (vii)	Member Secretary, Zoo Authority of Karnataka
13	Gardener	Executive Director of the Zoo	(i) to (iv-a) (v) to (vii)	Member Secretary, Zoo Authority of Karnataka
14	Assistant Animal Keeper	Executive Director of the Zoo	(i) to (iv-a) (v) to (vii)	Member Secretary, Zoo Authority of Karnataka

(H.S. BHAGYALAKSHMI)
Deputy Secretary to Government,
Forest, Environment and Ecology
Department

SCHEDULE-IV**Details of various Departmental Examination prescribed for the employees of Zoo Authority of Karnataka:-**

The Karnataka Civil Services (Service and Kannada Language Examinations) Rules, 1974 and departmental exams which are prescribed for the posts filled by deputation from other departments of the Government are applicable mutatis and mutandis as is in their department.

The declaration of probationary period and considering the promotion of Zoo Authority of Karnataka Employees under the above rules shall be considered by the promotion committee constituted under Cadre and Recruitment Rules of Zoo Authority of Karnataka.

(H.S. BHAGYALAKSHMI)
Deputy Secretary to Government,
Forest, Environment and Ecology
Department.

PR-74**GOVERNMENT OF KARNATAKA**

ED 41 UBV 2018(P-2)

Karnataka Government Secretariat

M.S. Building,

Bangalore, dated: 28.02.2020

CORRIGENDUM

In the Notification No:ED 41 UBV 2018(P-2), dated :30.10.2019 wherein the Government of Karnataka appointed 30th October, 2019 as the date of taking effect of all the provisions of Bengaluru Dr. B.R.Ambedkar School of Economics University Act, 2018, the words and numbers “KARNATAKA ACT No. 19 of 2019” appearing in parenthesis shall be corrected and read as “KARNATAKA ACT No. 20 of 2019”

By order and in the name of the
Governor of Karnataka.

(MAHESH R.)
Under Secretary to Government,
Higher Education Department
(Universities-2)

PR-75

DEPARTMENT OF HIGHER EDUCATION, GOVERNMENT OF KARNATAKA
NOTIFICATION

No. ED 76 URC 2019, Dated: 18 -12-2019

In exercise of the powers conferred by sub-section (1) of section 61 of the Adichunchanagiri University Act-2012 (Karnataka Act No.18 of 2013), the Government of Karnataka hereby makes the following rules, namely:-

1. Title and commencement- (1) These rules may be called the Adichunchanagiri University Rules, 2019.

(2) They shall come into force with effect from the date of their publication in the official Gazette.

2. Definitions.- In this Rules, unless the context otherwise requires-

(a) “Act” means the Adichunchanagiri University Act, 2012 (Karnataka Act No.18 of 2013)

(b) “Section” means section of the Act;

(c) “Council” means the Karnataka Higher Education Council;

(2) The words and expressions used these rules but not defined shall have the same meanings as assigned to them in that Act.

3. Salary and Allowances and Conditions of Service of Officers and employees of the University- (1) The salary and allowances payable to the teaching faculty shall be on par with the U.G.C Pay scales.

(2) The salary and allowances of other employees shall be on par with the other State Government Employees of equivalent rank.

(3) The method of recruitment of teaching staff shall be in accordance with the U.G.C regulations issued from time to time in respect of non-teaching staff shall be in accordance with merit and with recruitment policy of State Government as the case may be.

4. Institution of New Courses in the University-(1) The University shall send a proposal along with the approval of the Sponsoring Body and the Board of Governors to the Council well before the commencement of the each academic year for starting of new courses as per the course specification of U.G.C, A.I.C.T.E and other National Accreditation Bodies as the case may be.

Provided that Sponsoring Body and the Board of Governors before approving the proposal of institution of new courses, shall ensure requisite additional facilities having been created and requisite staff having been appointed as per the norms and standards of concerns Regulatory Authorities.

(2) On receipt of the application under sub-rule (1), the Council shall direct an inspection to be made by expert committee.

Provided the expert committee constituted by the Council shall consist of atleast one former Vice-Chancellor of State Public University.

(3) The Executive Director, the Council shall submit the application and its transcripts and the report of the expert committee to the State Government for taking a decision thereon.

(4) The State Government shall consider such applications in the light of recommendation of the expert committee and after such enquiry as may appear to it to be essential, shall permit the University to start new courses or reject the proposal as the case may be, including the variation in the intake.

(5) Any application made under sub-rule (1) may be withdrawn by the University at any time before a permission or rejection is made under sub-rule (4).

5. Closure of existing Courses in the University-(1) The University if intends to close down the existing course in view of its in capacity or financial viability or dearth of admissions shall submit application to the State Government in writing of not less than 3 months prior to intended closure of the course, stating the reasons therefor;

(2) The State Government on consideration of the same shall issue directions either to permit the closure or to reject the closure to the University.

(3) The University shall not close the courses during the currency of the academic year and until the last batch of students in the course complete their course of studies and annual examinations conducted by it in respect of course of study or over.

6. Enhancement and reduction of the Courses.-

The provisions of rule (4) shall mutatis mutandis apply for enhancement or reduction in intake of the courses in the University.

7. Powers of State Government to inspect and issue Directions- 1) For the purpose of ascertaining the standards of teaching, examination and research or any other matter relating to the University, the Government may, after consultation with Vice-Chancellor, cause an assessment to be made by the Expert Committee constituted by the Government consisting of 3 eminent Educationist, one of them shall be Former Vice-Chancellor of State Public University.

(2) On receipt of the report from the Expert Committee, the Government shall communicate its recommendations in regard to result of assessment for corrective action and the University shall take the corrective measures as are necessary so as to ensure the compliance of the recommendations. If the University fails to comply with the recommendations made under sub-section(2), within a reasonable time the

Government may give such directions as it may deem fit which shall be binding on the University.

8. Permanent Statutory Endowment Fund:- (1) The Permanent Statutory endowment fund shall be pledged in the name of Director, Collegiate Education, Karnataka, who shall also be the custodian for all documents and instruments related to the permanent statutory endowment fund and its investment in a Nationalized Bank in accordance with the provisions of the Act.

(2) In case the University or the sponsoring body contravenes any of the provisions of the Act, Statutes, Ordinance, regulations or rules made there under, a part or whole of the endowment fund may be forfeited by the Government but before such Forfeiture, a show cause notice shall be served by the Government on the sponsoring body or the University, as the case may be;

(3) the Government shall, among other things, duly consider the reply submitted by the sponsoring body or the University.

(4) In case the reply to show cause notice issued under sub-rule (2) is not submitted by the sponsoring body or the University within 45 days of the notice, the government may decide the case without waiting for such reply.

(5) the forfeited amount of permanent endowment fund shall vest in the government and it shall be used in the manner to be specified by the Government at the time of forfeiture.

(6) All other funds called General Fund under section 49 and Development Fund under section 50 shall be maintained in double entry Book keeping method, and shall be kept in a nationalized or Scheduled Bank.

(7) Permanent statutory Fund, General Fund and Development Fund shall be audited by the Chartered Accountant and annual Statement of accounts along with Audit report and its compliance shall be annually submitted to the State Government through the Director of Collegiate Education.

9. Suspension or Dissolution of the University-1) On receipt of the reply from University to the Show Cause Notice referred to in proviso of sub-section (4) of section 58 of the Act, if the Government is satisfied that there is a prima-facie case of contravention of all or any of the provisions of the Act or the Rules, Statutes and Ordinances made there under or of contravention of the directions issued by it under the Act or of financial mismanagement or mal administration or indiscipline, it shall make an order of such enquiry, as it may consider necessary.

(2) The Government shall, for the purpose any inquiry under sub-section(1) institute a Commission of inquiry headed by retired Supreme Court or High Court Judge to enquire into any of the allegations and to make report thereon.

(3) On receipt of the enquiry report from the officer appointed under sub-section (2), if the Government is satisfied that the University has contravened all or any of the provisions of this Act or the rules, statutes, or ordinances made thereunder or has violated any of the directions issued by it under this Act or has ceased to carry out the powers and functions by it as laid down in section 8 of this Act, or, a situation of financial mis-management and mal-administration has arisen in the University which threatens the academic standard of the University, it shall issue a preliminary order for the liquidation of the University and appoint an administrator.

(4) The administrator appointed under sub-section (3), shall have all the powers and be subject to all the duties of the Governing Body and the Board of Management under the Act and shall administer the affairs of the University until the last batch of the students of the regular courses have completed their courses and they have been awarded degrees, diplomas or awards, as the case may be.

(5) After having corrected the mis-management or awarded the degrees, diplomas or awards, as the case may be, to the last batches of students of the regular courses, the administrator shall make a report to the Government.

(6) On receipt of the report under sub-section (5), the Government shall, by notification in the official Gazette, issue a final order dissolving the University and from the date of publication of such notification, the University shall stand dissolved and all the assets and liabilities of the University shall vest in the Sponsoring Body from such date.

(7) It shall be competent for the Government to take action as per the provisions of the Act on such dissolution and run the university in the public interest and in the interest of the students till the students are provided all facilities to complete their courses and get their degrees or diplomas.

By Order and in the name of
Governor of Karnataka

(MAHESH R)

Under Secretary to Government
Higher Education Department (Universities-2)

PR-76

DEPARTMENT OF HIGHER EDUCATION, GOVERNMENT OF KARNATAKA NOTIFICATION

No. ED 74 URC 2019, Dated: 18-12-2019

In exercise of the powers conferred by sub-section (1) of section 61 of the Amity University Act-2018 (Karnataka Act No.16 of 2018), the Government of Karnataka hereby makes the following rules, namely:-

1. Title and commencement- (1) These rules may be called the Amity University Rules, 2019.

(2) They shall come into force with effect from the date of their publication in the official Gazette.

2. Definitions.- In this Rules, unless the context otherwise requires-

(a) “Act” means the Amity University Act, 2018(Karnataka Act No.16 of 2018);

(b) “Section” means section of the Act;

(c) “Council” means the Karnataka State Higher Education Council;

(2) The words and expressions used these rules but not defined shall have the same meanings as assigned to them in that Act.

3. Salary and Allowances and Conditions of Service of Officers and employees of the University- (1) The salary and allowances payable to the teaching faculty shall be on par with the U.G.C Pay scales.

(2) The salary and allowances of other employees shall be on par with the other State Government Employees of equivalent rank.

(3) The method of recruitment of teaching staff shall be in accordance with the U.G.C regulations issued from time to time in respect of non-teaching staff shall be in accordance with merit and with recruitment policy of State Government as the case may be.

4. Institution of New Courses in the University-(1) The University shall send a proposal along with the approval of the Sponsoring Body and the Board of Governors to the Council well before the commencement of the each academic year for starting of new courses as per the course specification of U.G.C, A.I.C.T.E and other National Accreditation Bodies as the case may be.

Provided that Sponsoring Body and the Board of Governors before approving the proposal of institution of new courses, shall ensure requisite additional facilities having been created and requisite staff having been appointed as per the norms and standards of concerns Regulatory Authorities.

(2) On receipt of the application under sub-rule (1), the Council shall direct an inspection to be made by expert committee.

Provided the expert committee constituted by the Council shall consist of atleast one former Vice-Chancellor of State Public University.

(3) The Executive Director, the Council shall submit the application and its transcripts and the report of the expert committee to the State Government for taking a decision thereon.

(4) The State Government shall consider such applications in the light of recommendation of the expert committee and after such enquiry as may appear to it

to be essential, shall permit the University to start new courses or reject the proposal as the case may be, including the variation in the intake.

(5) Any application made under sub-rule (1) may be withdrawn by the University at any time before a permission or rejection is made under sub- rule (4).

5. Closure of existing Courses in the University-(1) The University if intends to close down the existing course in view of its in capacity or financial viability or dearth of admissions shall submit application to the State Government in writing of not less than 3 months prior to intended closure of the course, stating the reasons therefor;

(2) The State Government on consideration of the same shall issue directions either to permit the closure or to reject the closure to the University.

(3) The University shall not close the courses during the currency of the academic year and until the last batch of students in the course complete their course of studies and annual examinations conducted by it in respect of course of study or over.

6. Enhancement and reduction of the Courses.-

The provisions of rule (4) shall mutatis mutandis apply for enhancement or reduction in intake of the courses in the University.

7. Powers of State Government to inspect and issue Directions- 1) For the purpose of ascertaining the standards of teaching, examination and research or any other matter relating to the University, the Government may, after consultation with Vice-Chancellor, cause an assessment to be made by the Expert Committee constituted by the Government consisting of 3 eminent Educationist, one of them shall be Former Vice-Chancellor of State Public University.

(2) On receipt of the report from the Expert Committee, the Government shall communicate its recommendations in regard to result of assessment for corrective action and the University shall take the corrective measures as are necessary so as to ensure the compliance of the recommendations. If the University fails to comply with the recommendations made under sub-section(2), within a reasonable time the Government may give such directions as it may deem fit which shall be binding on the University.

8. Permanent Statutory Endowment Fund:- (1) The Permanent Statutory endowment fund shall be pledged in the name of Director, Collegiate Education, Karnataka, who shall also be the custodian for all documents and instruments related to the permanent statutory endowment fund and its investment in a Nationalized Bank in accordance with the provisions of the Act.

(2) In case the University or the sponsoring body contravenes any of the provisions of the Act, Statutes, Ordinance, regulations or rules made there under, a part or whole of the endowment fund may be forfeited by the Government but before

such Forfeiture, a show cause notice shall be served by the Government on the sponsoring body or the University, as the case may be;

(3) the Government shall, among other things, duly consider the reply submitted by the sponsoring body or the University.

(4) In case the reply to show cause notice issued under sub-rule (2) is not submitted by the sponsoring body or the University within 45 days of the notice, the government may decide the case without waiting for such reply.

(5) the forfeited amount of permanent endowment fund shall vest in the government and it shall be used in the manner to be specified by the Government at the time of forfeiture.

(6) All other funds called General Fund under section 49 and Development Fund under section 50 shall be maintained in double entry Book keeping method, and shall be kept in a nationalized or Scheduled Bank.

(7) Permanent statutory Fund, General Fund and Development Fund shall be audited by the Chartered Accountant and annual Statement of accounts along with Audit report and its compliance shall be annually submitted to the State Government through the Director of Collegiate Education.

9. Suspension or Dissolution of the University-1) On receipt of the reply from University to the Show Cause Notice referred to in proviso of sub-section (4) of section 58 of the Act, if the Government is satisfied that there is a prima-facie case of contravention of all or any of the provisions of the Act or the Rules, Statutes and Ordinances made there under or of contravention of the directions issued by it under the Act or of financial mismanagement or mal administration or indiscipline, it shall make an order of such enquiry, as it may consider necessary.

(2) The Government shall, for the purpose any inquiry under sub-section(1) institute a Commission of inquiry headed by retired Supreme Court or High Court Judge to enquire into any of the allegations and to make report thereon.

(3) On receipt of the enquiry report from the officer appointed under sub-section (2), if the Government is satisfied that the University has contravened all or any of the provisions of this Act or the rules, statutes, or ordinances made thereunder or has violated any of the directions issued by it under this Act or has ceased to carry out the powers and functions by it as laid down in section 8 of this Act, or, a situation of financial mis-management and mal-administration has arisen in the University which threatens the academic standard of thee University, it shall issue a preliminary order for the liquidation of the University and appoint an administrator.

(4) The administrator appointed under sub-section (3), shall have all the powers and be subject to all the duties of the Governing Body and the Board of Management under the Act and shall administer the affairs of the University until the last batch of

the students of the regular courses have completed their courses and they have been awarded degrees, diplomas or awards, as the case may be.

(5) After having corrected the mis-management or awarded the degrees, diplomas or awards, as the case may be, to the last batches of students of the regular courses, the administrator shall make a report to the Government.

(6) On receipt of the report under sub-section (5), the Government shall, by notification in the official Gazette, issue a final order dissolving the University and from the date of publication of such notification, the University shall stand dissolved and all the assets and liabilities of the University shall vest in the Sponsoring Body from such date.

(7) It shall be competent for the Government to take action as per the provisions of the Act on such dissolution and run the university in the public interest and in the interest of the students till the students are provided all facilities to complete their courses and get their degrees or diplomas.

By Order and in the name of
Governor of Karnataka

(MAHESH R)

Under Secretary to Government
Higher Education Department (Universities-2)

PR-77

ಕರ್ನಾಟಕ ಸರ್ಕಾರ

ಸಂಖ್ಯೆ: ಗ್ರಾಅಪ 1309 ಗ್ರಾಪಂಅ 2017

ಕರ್ನಾಟಕ ಸರ್ಕಾರದ ಸಚಿವಾಲಯ,
ಬಹುಮಹಡಿ ಕಟ್ಟಡ
ಬೆಂಗಳೂರು, ದಿನಾಂಕ:17-01-2020.

ಅಧಿಸೂಚನೆ

ಕರ್ನಾಟಕ ಗ್ರಾಮ ಸ್ವರಾಜ್ ಮತ್ತು ಪಂಚಾಯತ್ ರಾಜ್ ಅಧಿನಿಯಮ, 1993 (1993ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ ಸಂಖ್ಯೆ 14)ರ ಪ್ರಕರಣ 61(ಎ) ಓದಿಕೊಂಡಂತೆ ಪ್ರಕರಣ 316 ರಲ್ಲಿ ಅಗತ್ಯಪಡಿಸಲಾದಂತೆ ಕರ್ನಾಟಕ ಗ್ರಾಮ ಸ್ವರಾಜ್ ಮತ್ತು ಪಂಚಾಯತ್ ರಾಜ್ ಗ್ರಾಮ ಪಂಚಾಯತಿಗಳ (ಕೆರೆ ಅಭಿವೃದ್ಧಿ ಮತ್ತು ನಿರ್ವಹಣಾ ಸಮಿತಿ) (ಮಾದರಿ) ಉಪವಿಧಿಗಳು, 2019 ಕರಡನ್ನು ದಿನಾಂಕ:22-07-2019 ರ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಪತ್ರದ ಭಾಗ-IV-A ರಲ್ಲಿ ಪ್ರಕಟಿಸಿ, ಅದರಿಂದ ಬಾಧಿತರಾಗುವ ವ್ಯಕ್ತಿಗಳಿಂದ ಸದರಿ ಕರಡಿಗೆ ಆಕ್ಷೇಪಣೆ ಮತ್ತು ಸಲಹೆಗಳನ್ನು ಕರ್ನಾಟಕ ರಾಜ್ಯ ಪತ್ರದಲ್ಲಿ ಪ್ರಕಟವಾದ ದಿನಾಂಕದಿಂದ ಮೂವತ್ತು ದಿನಗಳೊಳಗಾಗಿ ಸಲ್ಲಿಸಬೇಕೆಂದು ಕೋರಿರುವುದರಿಂದ;

ಮತ್ತು ಸದರಿ ರಾಜ್ಯ ಪತ್ರವು ಸಾರ್ವಜನಿಕರಿಗೆ ದಿನಾಂಕ:22-07-2019 ರಂದು ಲಭ್ಯವಾಗುವಂತೆ ಮಾಡಿರುವುದರಿಂದ;

ಮತ್ತು, ಸದರಿ ಕರಡಿನ ಸಂಬಂಧದಲ್ಲಿ ರಾಜ್ಯ ಸರ್ಕಾರಕ್ಕೆ ಯಾವುದೇ ಆಕ್ಷೇಪಣೆ ಅಥವಾ ಸಲಹೆಗಳು ಬಾರದಿರುವುದರಿಂದ;

ಈಗ ಕರ್ನಾಟಕ ಗ್ರಾಮ ಸ್ವರಾಜ್ ಮತ್ತು ಪಂಚಾಯತ್ ರಾಜ್ ಅಧಿನಿಯಮ, ೧೯೯೩ (೧೯೯೩ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ ಸಂಖ್ಯೆ ೧೪) ರ ಪ್ರಕರಣ ೬೧(ಎ) ರೊಡನೆ ಓದಿಕೊಂಡಂತೆ ಪ್ರಕರಣ ೩೧೬ ರಲ್ಲಿ ಪ್ರದತ್ತವಾದ ಅಧಿಕಾರವನ್ನು ಚಲಾಯಿಸಿ ಕರ್ನಾಟಕ ಸರ್ಕಾರವು ಈ ಮೂಲಕ ಮಾದರಿ ಉಪವಿಧಿಗಳನ್ನು ರಚಿಸುತ್ತದೆ, ಎಂದರೆ:-

ಮಾದರಿ ಉಪವಿಧಿಗಳು

ಅಧ್ಯಾಯ-೧

೧. ಹೆಸರು ಮತ್ತು ಪ್ರಾರಂಭ :

(ಎ) ಈ ಉಪವಿಧಿಗಳನ್ನು ಕರ್ನಾಟಕ ಗ್ರಾಮ ಸ್ವರಾಜ್ ಮತ್ತು ಪಂಚಾಯತ್ ರಾಜ್ ಗ್ರಾಮ ಪಂಚಾಯತಿಗಳ (ಕೆರೆ ಅಭಿವೃದ್ಧಿ ಮತ್ತು ನಿರ್ವಹಣಾ ಸಮಿತಿ) (ಮಾದರಿ) ಉಪವಿಧಿಗಳು, ೨೦೧೯ ಎಂದು ಕರೆಯತಕ್ಕದ್ದು.

(ಬಿ) ಈ ಉಪವಿಧಿಗಳು ಸರ್ಕಾರಿ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಪ್ರಕಟಣೆಯಾದ ದಿನಾಂಕದಿಂದ ಜಾರಿಗೆ ಬರತಕ್ಕದ್ದು.

೨. ಪರಿಭಾಷೆಗಳು:

ಈ ಉಪವಿಧಿಗಳಲ್ಲಿ, ಸಂದರ್ಭವು ಅನ್ಯಥಾ ಅಗತ್ಯಪಡಿಸಿದ ಹೊರತು, ಈ ಮುಂದಿನ ಪದಗಳು ಮತ್ತು ಪದಾವಳಿಗಳನ್ನು ಈ ಮುಂದಿನ ಅರ್ಥಗಳಲ್ಲಿ ಬಳಸಲಾಗಿದೆ:

- i. “ಎಡಿ”: ಎಂದರೆ ಕರ್ನಾಟಕ ಗ್ರಾಮ ಸ್ವರಾಜ್ ಮತ್ತು ಪಂಚಾಯತ್ ರಾಜ್ ಅಧಿನಿಯಮ ೧೯೯೩ ರ ಪ್ರಕರಣ ೬೧-ಎ ಹಾಗೂ ಅದಕ್ಕೆ ಕಾಲಕಾಲದಲ್ಲಿ ತಂದಿರುವ ಯಾವುದೇ ಬದಲಾವಣೆಗಳು ಅನ್ವಯಿಸುತ್ತವೆ.
- ii. “ಸ್ಥಾಯಿ ಸಮಿತಿ” ಎಂದರೆ ಕರ್ನಾಟಕ ಗ್ರಾಮ ಸ್ವರಾಜ್ ಮತ್ತು ಪಂಚಾಯತ್ ರಾಜ್ ಅಧಿನಿಯಮ ೧೯೯೩ ರ ಪ್ರಕರಣ ೬೧ (ii) ರಡಿ ರಚಿತವಾದ ಸ್ಥಾಯಿ ಸಮಿತಿ ಎಂದು ತಿಳಿಯತಕ್ಕದ್ದು.
- iii. “ನೀರಾವರಿ ಕಾಯ್ದೆ”: ಎಂದರೆ ಕರ್ನಾಟಕ ನೀರಾವರಿ ಕಾಯ್ದೆ ೧೯೬೫ ಮತ್ತು ಅದಕ್ಕೆ ಆಗಿಂದಾಗ್ಗೆ ತಂದಿರುವ/ತರಲಾಗುವ ತಿದ್ದುಪಡಿಗಳು.
- iv. “ಗ್ರಾಮ”: ಎಂದರೆ ಕೆರೆಯ ವ್ಯಾಪ್ತಿಯಲ್ಲಿ ಬರುವ ವಸತಿ ಪ್ರದೇಶ ಎಂದು ತಿಳಿಯತಕ್ಕದ್ದು.
- v. “ಸಮಿತಿ” ಎಂದರೆ ಕೆರೆ ಅಭಿವೃದ್ಧಿ ಮತ್ತು ನಿರ್ವಹಣಾ ಸಮಿತಿ.
- vi. “ಅಧ್ಯಕ್ಷರು”: ಎಂದರೆ ಕೆರೆಯ ನಿರ್ವಹಣೆ ಮತ್ತು ಅಭಿವೃದ್ಧಿ ಸಮಿತಿಯ ಸದಸ್ಯರಿಂದ ಉಪವಿಧಿಗಳ ಪ್ರಕಾರ ಒಂದು ಕಾಲಾವಧಿಗೆ ನೇಮಿಸಲ್ಪಡುವ ಪದಾಧಿಕಾರಿ.
- vii. “ಉಪಾಧ್ಯಕ್ಷರು”: ಎಂದರೆ ಕೆರೆಯ ನಿರ್ವಹಣೆ ಮತ್ತು ಅಭಿವೃದ್ಧಿ ಸಮಿತಿಯ ಸದಸ್ಯರಿಂದ ಉಪವಿಧಿಗಳ ಪ್ರಕಾರ ಒಂದು ಕಾಲಾವಧಿಗೆ ನೇಮಿಸಲ್ಪಡುವ ಪದಾಧಿಕಾರಿ.
- viii. “ಸಭೆ”: ಎಂದರೆ ಕೆರೆ ಅಭಿವೃದ್ಧಿ ಮತ್ತು ನಿರ್ವಹಣಾ ಸಮಿತಿಯ ಸಭೆಗಳು ಎಂದು ತಿಳಿಯತಕ್ಕದ್ದು.
- ix. “ಸಾಧಾರಣ ಬಹುಮತ”: ಎಂದರೆ ಹಾಜರಿದ್ದ ಸದಸ್ಯರ ಸಂಖ್ಯೆಯಲ್ಲಿ ಅರ್ಧಕ್ಕಿಂತ ಹೆಚ್ಚು ಸದಸ್ಯರ ಒಪ್ಪಿಗೆ.
- x. “ವರ್ಷ”: ಎಂದರೆ ಜಾಲನೆಯಲ್ಲಿರುವ ಹಣಕಾಸು ವರ್ಷ, ಅಂದರೆ ಏಪ್ರಿಲ್ ೧ ರಿಂದ ಮಾರ್ಚ್ ೩೧.

- xi. “ಭೂ ಅಭಿವೃದ್ಧಿ”: ಎಂದರೆ ಹೊಲಗಳಿಗೆ ಸಮನಾಗಿ ನೀರನ್ನು ವಿತರಣೆ ಮಾಡಲು ರೂಪಿಸಿ ನಿರ್ಮಿಸಿದ ಹೊಲಗಾಲುವೆ/ಬಸಿಗಾಲುವೆ/ಸಮಪಾತಳಿ/ಒಡ್ಡುಗಳು/ನಿಯಂತ್ರಕಗಳು (ರೆಗ್ಯುಲೇಟರ್ಸ್) ಮತ್ತು ಇತರೆ ಕೆಲಸಗಳು.
- xii. “ವಾರಾಬಂದಿ ಪದ್ಧತಿ”: ಎಂದರೆ, ತುಂಬುಗಳಿಂದ ನೀರನ್ನು ಸದರಿಯ ಮೇಲೆ ಹಾಗೂ ಸಮಾನತೆ ಆಧಾರದ ಮೇಲೆ ಹಂಚಿಕೊಳ್ಳುವ ಪದ್ಧತಿ.

ಶಬ್ದಗಳ ಬಳಕೆ:

- ಇಲ್ಲಿ ಬಳಕೆಯಾಗಿರುವ ಏಕವಚನದಲ್ಲಿರುವ ಪದಗಳನ್ನು ಬಹುವಚನದಲ್ಲಿಯೂ, ಬಹುವಚನದಲ್ಲಿರುವ ಪದಗಳನ್ನು ಏಕವಚನದಲ್ಲಿ ಉಲ್ಲೇಖಿಸಬಹುದಾಗಿರುತ್ತದೆ.
- ಇಲ್ಲಿ ಬಳಕೆಯಾಗಿರುವ ಪುರುಷ ವಾಚಕಗಳನ್ನು ಸ್ತ್ರೀ ವಾಚಕಗಳನ್ನಾಗಿಯೂ, ಸ್ತ್ರೀ ವಾಚಕಗಳನ್ನು ಪುರುಷ ವಾಚಕಗಳನ್ನಾಗಿಯೂ ಅರ್ಥೈಸಿಕೊಳ್ಳಬಹುದಾಗಿರುತ್ತದೆ.

ಅಧ್ಯಾಯ-2

3) ಕೆರೆ ಅಭಿವೃದ್ಧಿ ಮತ್ತು ನಿರ್ವಹಣಾ ಸಮಿತಿಯ ರಚನೆ,-

- ಕೆರೆ ಅಭಿವೃದ್ಧಿ ಮತ್ತು ನಿರ್ವಹಣಾ ಸಮಿತಿಯನ್ನು ಕೆಳಗಿನಂತೆ ರಚಿಸತಕ್ಕದ್ದು.
 - ಕೆರೆ ವ್ಯಾಪ್ತಿಯಲ್ಲಿ ಬರುವ ಇಬ್ಬರು ಗ್ರಾಮ ಪಂಚಾಯತಿ ಸದಸ್ಯರು.
 - ಕೆರೆ ಬಳಕೆದಾರರ ಪ್ರತಿನಿಧಿಗಳು,-
 - ಜಲಾನಯನ ಪ್ರದೇಶದ ರೈತರು-1.
 - ಅಚ್ಚಕಟ್ಟು ಪ್ರದೇಶದ ರೈತರು-1.
 - ಅಚ್ಚಕಟ್ಟಿನ ಕೊನೆ ಹಂತದ ರೈತರು-1.
 - ಕೂಲಿಕಾರ್ಮಿಕರು-1.
 - ಕುಶಲ ಕರ್ಮಿಗಳು-1.
 - ಪರೋಕ್ಷವಾಗಿ ಉಪಯೋಗ ಪಡೆಯುವವರು-1.
 - ಸ್ಥಳೀಯ ಸ್ವಯಂ ಸೇವಾ ಸಂಘ ಪದಾಧಿಕಾರಿ/ಗ್ರಾಮದಲ್ಲಿ ವಾಸಿಸುವ ತಜ್ಞರು-1.
 - ಕೆರೆ ಅಭಿವೃದ್ಧಿಗೆ ರೂ.ಒಂದು ಲಕ್ಷವನ್ನು ನಗದಾಗಿ ಅಥವಾ ಇತರೇ ರೂಪದಲ್ಲಿ ದಾನ ನೀಡಿದ ದಾನಿಗಳು.
 - ಗ್ರಾಮ ಪಂಚಾಯತಿ ಕಾರ್ಯದರ್ಶಿ-ಸಮಿತಿಯ ಕಾರ್ಯದರ್ಶಿಯಾಗಿರುತ್ತಾರೆ.
 - ಕ್ರಮ ಸಂಖ್ಯೆ 1 ರಿಂದ 7ರವರೆಗಿನ ಸದಸ್ಯರನ್ನು, ಈ ಉದ್ದೇಶಕ್ಕಾಗಿ ಕರೆದ ಗ್ರಾಮ ಸಭೆಯಲ್ಲಿ ಆಯ್ಕೆ ಮಾಡುವುದು.
- ಕೆರೆ ಅಭಿವೃದ್ಧಿ ಮತ್ತು ನಿರ್ವಹಣಾ ಸಮಿತಿಯಲ್ಲಿ ಅಧ್ಯಕ್ಷ, ಉಪಾಧ್ಯಕ್ಷ ಮತ್ತು ಕಾರ್ಯದರ್ಶಿ ಸೇರಿ ಕನಿಷ್ಠ 9 ಮತ್ತು ಗರಿಷ್ಠ 14 ಜನ ಸದಸ್ಯರು ಇರುವುದು.
- ಸಮಿತಿಯಲ್ಲಿ ಕನಿಷ್ಠ ಇಬ್ಬರು ಪರಿಶಿಷ್ಟ ಜಾತಿ/ಪರಿಶಿಷ್ಟ ಪಂಗಡಗಳಿಗೆ ಸೇರಿದ ಸದಸ್ಯರು ಇರತಕ್ಕದ್ದು.
- ಸಮಿತಿಯ ಒಟ್ಟು ಸದಸ್ಯರಲ್ಲಿ ಕನಿಷ್ಠ ಮೂರನೇ ಒಂದರಷ್ಟು ಮಹಿಳಾ ಸದಸ್ಯರು ಇರತಕ್ಕದ್ದು.
- ಅಧ್ಯಕ್ಷ ಅಥವಾ ಉಪಾಧ್ಯಕ್ಷರು ಈ ಇಬ್ಬರಲ್ಲಿ ಒಬ್ಬರು ಮಹಿಳೆಯಾಗಿರಬೇಕು.
- ಸಮಿತಿಯ ಸದಸ್ಯರ ಅವಧಿಯು ಪದನಿಮಿತ್ತ ಸದಸ್ಯರನ್ನು ಹೊರತುಪಡಿಸಿ ಇತರ ಸದಸ್ಯರ ಪದಾವಧಿಯು ಮೂರು ವರ್ಷ ಆಗಿರುತ್ತದೆ.
- ಸಮಿತಿಯ ಕಾರ್ಯದರ್ಶಿ ಆಗಿರುವವರು ಸಂಘದ ಮುಖ್ಯ ಕಾರ್ಯನಿರ್ವಾಹಕರು ಆಗಿರುತ್ತಾರೆ.

- viii) ಸಮಿತಿಯ ಎಲ್ಲಾ ಪದಾಧಿಕಾರಿಗಳು ನಿವೃತ್ತಿ ಹೊಂದ ಬಯಸಿದಲ್ಲಿ ವಿಶೇಷ ಗ್ರಾಮ ಸಭೆಯ ಮೂಲಕ ಹೊಸ ಕೆರೆ ಅಭಿವೃದ್ಧಿ ಮತ್ತು ನಿರ್ವಹಣಾ ಸಮಿತಿಯನ್ನು ನಿಯಮಿಸಬಹುದಾಗಿರುತ್ತದೆ ಹಾಗೂ ಹೊಸ ಸಮಿತಿ ರಚನೆಯಾಗುವವರೆಗೂ ಪ್ರಸ್ತುತ ಸಮಿತಿಯು ಮುಂದುವರೆಯುವುದು.
- ix) ಸಮಿತಿಯ ಸಭೆಗಳಲ್ಲಿ ತೀರ್ಮಾನಿಸುವ ಎಲ್ಲಾ ಕಾರ್ಯಕ್ರಮಗಳು, ತೀರ್ಮಾನಗಳನ್ನು ಅನುಷ್ಠಾನಗೊಳಿಸುವ ಜವಾಬ್ದಾರಿ ಕಾರ್ಯದರ್ಶಿಯದಾಗಿರುತ್ತದೆ.

ಅಧ್ಯಾಯ-3

4. ಸಮಿತಿಯ ಪದಾಧಿಕಾರಿಗಳು:

- ಅ) ಅಧ್ಯಾಯ-2 ರ (3) (i)ರಲ್ಲಿ ಸೂಚಿಸಿರುವ ಸದಸ್ಯರುಗಳ ಪೈಕಿ ಒಬ್ಬ ಅಧ್ಯಕ್ಷ ಮತ್ತು ಒಬ್ಬ ಉಪಾಧ್ಯಕ್ಷರನ್ನು ಸಮಿತಿಯ ಸಭೆಯಲ್ಲಿ ಆಯ್ಕೆ ಮಾಡತಕ್ಕದ್ದು. ಇದರಲ್ಲಿ ಕನಿಷ್ಠಪಕ್ಷ ಒಬ್ಬರು ಮಹಿಳೆಯಾಗಿರತಕ್ಕದ್ದು.
- ಆ) ಸಂಬಂಧಿಸಿದ ಗ್ರಾಮ ಪಂಚಾಯತಿ ಕಾರ್ಯದರ್ಶಿ ಸಮಿತಿಯ ಪದನಿಮಿತ್ತ ಕಾರ್ಯದರ್ಶಿಯಾಗಿ ನೇಮಿಸತಕ್ಕದ್ದು.
- ಇ) ಅಧ್ಯಕ್ಷ ಮತ್ತು ಉಪಾಧ್ಯಕ್ಷರು ಮೂರು ವರ್ಷಗಳ ಅವಧಿಗೆ ಅಥವಾ ಅವನ / ಅವಳ ಸದಸ್ಯತ್ವ ರದ್ದಾಗುವವರೆಗೆ, ಇವೆರಡರಲ್ಲಿ ಯಾವುದು ಮೊದಲೋ ಅಲ್ಲಿಯವರೆಗೆ ಅಧಿಕಾರವನ್ನು ಹೊಂದಿರತಕ್ಕದ್ದು.

5. ಅಧ್ಯಕ್ಷರ ಕರ್ತವ್ಯಗಳು:

- ಅ) ಅಧ್ಯಕ್ಷರು ಈ ಮುಂದಿನ ಕರ್ತವ್ಯಗಳನ್ನು ನಿರ್ವಹಿಸತಕ್ಕದ್ದು.
- ಸಮಿತಿಯ ಎಲ್ಲಾ ಸಭೆಗಳ ಅಧ್ಯಕ್ಷತೆ ವಹಿಸುವುದು.
 - ದೂರುಗಳ ಪೆಟ್ಟಿಗೆಯನ್ನು ಆ ಸಮಯದಲ್ಲಿ ಅಲ್ಲಿ ಲಭ್ಯವಿರುವ ಕನಿಷ್ಠ ಒಬ್ಬ ಸದಸ್ಯರ ಉಪಸ್ಥಿತಿಯಲ್ಲಿ ಕನಿಷ್ಠ ವಾರಕೊಮ್ಮೆ ತೆರೆಯುವುದು.
- ಆ) ಅಧ್ಯಕ್ಷರು ಸಮಿತಿಯು ಮಾರ್ಗದರ್ಶನ ನೀಡುವಂತಹ ಇತರ ಕಾರ್ಯಗಳನ್ನು ನಿರ್ವಹಿಸತಕ್ಕದ್ದು.

6. ಉಪಾಧ್ಯಕ್ಷರ ಕರ್ತವ್ಯಗಳು:

- ಅ) ಅಧ್ಯಕ್ಷರ ಗೈರುಹಾಜರಿಯಲ್ಲಿ, ಉಪಾಧ್ಯಕ್ಷರು ಈ ಉಪವಿಧಿಗಳ 5ನೇ ಖಂಡದಲ್ಲಿ ನಿರ್ದಿಷ್ಟಪಡಿಸಲಾದಂತೆ ಅಧ್ಯಕ್ಷರ ಕರ್ತವ್ಯಗಳನ್ನು ನಿರ್ವಹಿಸತಕ್ಕದ್ದು.
- ಆ) ಉಪಾಧ್ಯಕ್ಷರು ಸಮಿತಿಯು ಮಾರ್ಗದರ್ಶನ ನೀಡುವಂತಹ ಇತರ ಎಲ್ಲಾ ಕಾರ್ಯಗಳನ್ನು ಸಹ ನಿರ್ವಹಿಸತಕ್ಕದ್ದು.

7. ಕಾರ್ಯದರ್ಶಿಯ ಕರ್ತವ್ಯಗಳು:

ಅ) ಕಾರ್ಯದರ್ಶಿಯು ಈ ಮುಂದಿನ ಕರ್ತವ್ಯಗಳನ್ನು ನಿರ್ವಹಿಸತಕ್ಕದ್ದು;

- i) ಸಮಿತಿಯ ಅನುಮೋದನೆ ಪಡೆದು ಕೆರೆಗಳ ವಾರ್ಷಿಕ ದುರಸ್ತಿ, ಉಸ್ತುವಾರಿ ಹಾಗೂ ಕಾರ್ಯಾಚರಣೆಗಳ ತ್ರಿಯಾಯೋಜನೆಯನ್ನು ಸಿದ್ಧಪಡಿಸುವುದು.
- ii) ಸಮಿತಿಯ ಸಭೆಗಳಿಗೆ ಕಾರ್ಯಸೂಚಿ ತಯಾರಿಸುವುದು.
ವಿವರಣೆ:- ಸಭೆಗಳ ಕಾರ್ಯಸೂಚಿಯು ಸಮಿತಿಯ ಮಾಸಿಕ ಲೆಕ್ಕಪತ್ರಗಳು, ಕೆರೆ ಉಸ್ತುವಾರಿ ಹಾಗೂ ಕಾರ್ಯಾಚರಣೆಗಳ ತ್ರಿಯಾಯೋಜನೆಗೆ ಸಂಬಂಧಿಸಿದ ಅಂಶಗಳನ್ನು ಒಳಗೊಂಡಿರತಕ್ಕದ್ದು.
- iii) ಅಧ್ಯಾಯ-4 ರಲ್ಲಿ ವಿವರಿಸಿರುವಂತೆ ಸಮಿತಿಯ ಸಭೆ ಕರೆಯುವುದು ಮತ್ತು ಅದಕ್ಕೆ ಅನುಕೂಲ ಕಲ್ಪಿಸಿಕೊಡುವುದು ಮತ್ತು ಎಲ್ಲ ಸಭೆಗಳ ನಡಳಿಗಳನ್ನು ದಾಖಲಿಸುವುದು.
- iv) ಸಮಿತಿಯ ಮಾಹಿತಿಗಾಗಿ ಆತನ /ಆಕೆಯ ಅಧಿಕಾರದ ಅಡಿಯಲ್ಲಿ ಬರುವ ಎಲ್ಲಾ ವಿಷಯಗಳ ಮಾಹಿತಿಯನ್ನು ತಯಾರಿಸುವುದು.
- v) ಆತನ/ ಆಕೆಯ ಪ್ರಭಾರದಲ್ಲಿರುವ ಸಮಿತಿಗೆ ಸೇರಿದ ಎಲ್ಲಾ ದಸ್ತಾವೇಜುಗಳು ಮತ್ತು ಸ್ವತ್ತಿನ ಸುರಕ್ಷಿತ ಸುಪರ್ದಿಗೆ ಜವಾಬ್ದಾರಾಗಿರುವುದು.
- vi) ಸಮಿತಿಯ ಲೆಕ್ಕಪತ್ರಗಳು ಮತ್ತು ದಾಖಲೆಗಳನ್ನು ಇಟ್ಟುಕೊಳ್ಳುವುದು.
- vii) ಕನಿಷ್ಠಪಕ್ಷ, ಪ್ರತಿ ಮೂರು ತಿಂಗಳುಗಳಿಗೊಮ್ಮೆ ಹಣಕಾಸು, ಲೆಕ್ಕ ಪರಿಶೋಧನೆ ಮತ್ತು ಯೋಜನಾ ಸ್ಥಾಯಿ ಸಮಿತಿಗೆ ಕೆರೆ ಅಭಿವೃದ್ಧಿ ಮತ್ತು ನಿರ್ವಹಣಾ ಸಮಿತಿಯ ಚಟುವಟಿಕೆಗಳ ವರದಿ ಮತ್ತು ಲೆಕ್ಕಪತ್ರಗಳ ವಿವರಪಟ್ಟಿಯನ್ನು ತಯಾರಿಸುವುದು ಹಾಗೂ ಹಾಜರುಪಡಿಸುವುದು.
- viii) ಪತ್ರವ್ಯವಹಾರ ನಡೆಸುವುದು ಹಾಗೂ ಎಲ್ಲಾ ನೋಟೀಸುಗಳನ್ನು ಮತ್ತು ಜಾಹೀರಾತುಗಳನ್ನು ಹೊರಡಿಸುವುದು.

ಆ) ಸಮಿತಿಯು ಮಾರ್ಗದರ್ಶನ ನೀಡುವಂತೆ ಇತರ ಎಲ್ಲಾ ಕಾರ್ಯಗಳನ್ನು ಸಹ ನಿರ್ವಹಿಸತಕ್ಕದ್ದು.

8. ಸಮಿತಿಯ ಅಧಿಕಾರಗಳು ಮತ್ತು ಜವಾಬ್ದಾರಿಗಳು:

ಅಧಿಕಾರಗಳು:

- i. ಈ ಸಮಿತಿಯು ಕರ್ನಾಟಕ ಗ್ರಾಮ ಸ್ವರಾಜ್ ಮತ್ತು ಪಂಚಾಯತ್ ರಾಜ್ ಅಧಿನಿಯಮ 1993 ರ ಪ್ರಕರಣ 58, 145, 184 ಹಾಗೂ ಅನುಸೂಚಿ-1, ಅನುಸೂಚಿ-11 ಮತ್ತು ಅನುಸೂಚಿ-111 ರಡಿ ಸಣ್ಣ ನೀರಾವರಿ, ಮೀನುಗಾರಿಕೆ ಹಾಗೂ ಕೃಷಿ ಆಧಾರಿತ ಚಟುವಟಿಕೆಗಳನ್ನು ನಿರ್ವಹಿಸಲು ಅಧಿಕಾರ ಹೊಂದಿರುತ್ತದೆ.
- ii. ಕೆರೆಯ ವ್ಯಾಪ್ತಿಯಲ್ಲಿನ ನೀರಿನ ಮೂಲಗಳು ಮಲಿನಗೊಳ್ಳದಂತೆ ಎಲ್ಲಾ ಕ್ರಮಗಳನ್ನು ಕೈಗೊಳ್ಳುವ ಜವಾಬ್ದಾರಿ, ಅಧಿಕಾರ ಸಮಿತಿಗಿದೆ. ಕೆರೆಗೆ ಚರಂಡಿ ನೀರನ್ನು ಹಾಯಿಸುವ, ಕಾರ್ಖಾನೆ ಕಲ್ಮಶಗಳನ್ನು ಬಿಡುವ, ಕೆರೆಯಂಗಳದಲ್ಲಿ ಗೊಬ್ಬರ ಗುಂಡಿಗಳನ್ನು ಮಾಡುವ ಹಾಗೂ ಯಾವುದೇ ಇತರೇ ಮಾಲಿನ್ಯಕಾರಕ ಚಟುವಟಿಕೆಗಳನ್ನು ನಿರ್ಬಂಧಿಸಲು ಸೂಕ್ತ ಸೂಚನೆಗಳನ್ನು ನೀಡಿ ಕಟ್ಟುನಿಟ್ಟಾಗಿ ಜಾರಿಗೊಳಿಸುವ ಕಾರಣಕರ್ತ ವ್ಯಕ್ತಿ/ಸಂಘ ಸಂಸ್ಥೆ/ಕಾರ್ಖಾನೆಗಳ ಮೇಲೆ ಕ್ರಮಜರುಗಿಸಲು ಶಿಫಾರಸ್ಸು ಮಾಡುವ ಅಧಿಕಾರ ಸಮಿತಿಗಿರುತ್ತದೆ.
- iii) ಕೆರೆ ಮತ್ತು ಅದರ ಸಂಬಂಧಪಟ್ಟ ಕಾಮಗಾರಿಗಳು ಹಾಗೂ ಅದರಡಿಯಲ್ಲಿ ತೃಪ್ತಿಕರವಾಗಿ ಕಾರ್ಯನಿರ್ವಹಿಸುವ, ಉತ್ತಮ ಸ್ಥಿತಿಯಲ್ಲಿರುವ ನಾಲಾ ವ್ಯವಸ್ಥೆ ಕಾರ್ಯಾಚರಣೆ, ನಿರ್ವಹಣಾ ವೆಚ್ಚ ಇವುಗಳನ್ನು ಸ್ವಂತ ಸಂಪನ್ಮೂಲದಿಂದ ಭರಿಸಲು ಸಾಕಾಗುವಷ್ಟು ನೀರಿನ ದರಗಳನ್ನು ವಸೂಲಿ ಮಾಡುವುದು.

- iv) ನೀರಿನ ತೆರಿಗೆ ಹೊರತುಪಡಿಸಿ ಕೆರೆ ಪ್ರದೇಶದಲ್ಲಿ ಹೂಳು, ಮರಳು, ಮಣ್ಣು, ಅರಣ್ಯ ಉತ್ಪನ್ನಗಳು, ಇಟ್ಟಿಗೆ ಗೂಡುಗಳನ್ನು ಮಾಡುವ ಇತ್ಯಾದಿ ಬಳಕೆದಾರರಿಗೆ ಗ್ರಾಮ ಪಂಚಾಯತಿಯು ನಿಗದಿಪಡಿಸಿದ ಶುಲ್ಕವನ್ನು ವಸೂಲಿ ಮಾಡುವ ಅಧಿಕಾರ ಸಮಿತಿಗಿರುತ್ತದೆ. ಸರ್ಕಾರದ ಆದೇಶಗಳಿಗೆ ಒಳಪಟ್ಟು ಸರ್ಕಾರ ಅನುಮತಿ ನೀಡಿದಲ್ಲಿ ಸಮಿತಿಗೆ ಆದಾಯ ಬರುವ ಮೀನುಗಾರಿಕೆ ಇತ್ಯಾದಿ ಚಟುವಟಿಕೆಗಳನ್ನು ಕೈಗೊಳ್ಳುವ ಅಧಿಕಾರವೂ ಸಮಿತಿಗಿದ್ದು, ಇವುಗಳ ನಿರ್ವಹಣೆಯ ಅಧಿಕಾರ ಸಮಿತಿಗಿರುತ್ತದೆ.

ಜವಾಬ್ದಾರಿಗಳು:

- v) ಸಮಿತಿ ಕೆರೆ ಪ್ರದೇಶದ ಉಸ್ತುವಾರಿ ಅಭಿವೃದ್ಧಿ ಮತ್ತು ನಿರ್ವಹಣೆಗೆ ಈ ಕೆಳಕಂಡ ಕ್ರಮಗಳನ್ನು ಜಾರಿಗೊಳಿಸುವುದು.

ಕೆರೆಗಳ ಭೌತಿಕ ನಿರ್ವಹಣೆ:

- vi) ಸಮಿತಿ ವಾರ್ಷಿಕ ದುರಸ್ತಿ, ಉಸ್ತುವಾರಿ ಹಾಗೂ ಕಾರ್ಯಾಚರಣೆಗಳ ಕ್ರಿಯಾ ಯೋಜನೆಯನ್ನು ರೂಪಿಸುವುದು, ವಾರ್ಷಿಕ ಆದಾಯ-ವೆಚ್ಚಗಳ ಆಯವ್ಯಯ ರೂಪಿಸುವುದು ಮತ್ತು ಸಮಿತಿ ಸಭೆಯಲ್ಲಿ ಅನುಮೋದನೆ ಪಡೆದು ಜಾರಿಗೊಳಿಸತಕ್ಕದ್ದು.
- vii) ಕೆರೆ ಪ್ರದೇಶದಲ್ಲಿನ ಎಲ್ಲಾ ರಚನೆಗಳನ್ನು ವಾರ್ಷಿಕವಾಗಿ ಅಥವಾ ಅಗತ್ಯ ಬಿದ್ದಂತಕ್ಷಣ ದುರಸ್ತಿ ಮಾಡಿ ಉತ್ತಮ ಸ್ಥಿತಿಯಲ್ಲಿ ನಿರ್ವಹಿಸುವುದು ಸಮಿತಿಯ ಜವಾಬ್ದಾರಿಯಾಗಿರುತ್ತದೆ. ಈ ದುರಸ್ತಿ ಕಾರ್ಯಗಳನ್ನು ಸಮಿತಿ ಸರ್ಕಾರದ ಅನುದಾನ, ಸಮಿತಿಯಿಂದ ಮೀನು ಕೃಷಿ ಸಂಪನ್ಮೂಲ ಅಥವಾ ಇತರ ಸಂಪನ್ಮೂಲಗಳಿಂದ ಹಾಗೂ ಶ್ರಮದಾನ/ವಾರದ ಕೆಲಸಗಳನ್ನು ಸಂಘಟಿಸಿ ಕೈಗೊಳ್ಳುವುದು.
- viii) ತುರ್ತು ಪರಿಸ್ಥಿತಿಗಳಾದ ಪ್ರವಾಹ, ಭೂಕಂಪ ಇತ್ಯಾದಿಗಳಿಂದ ಏರಿ ಒಡೆಯುವುದು ಇತ್ಯಾದಿ ಸಂದರ್ಭಗಳಲ್ಲಿ ಸರ್ಕಾರದ ವತಿಯಿಂದ ದುರಸ್ತಿಗಳನ್ನು ಮಾಡಲು ಸಂಬಂಧಪಟ್ಟ ಸ್ಥಳೀಯ ಅಧಿಕಾರಗಳನ್ನು ಬೇಟಿ ಮಾಡಿ ದುರಸ್ತಿಯನ್ನು ಕೈಗೊಳ್ಳುವುದು. ಮೇಲಿನ ದುರಸ್ತಿ ಕಾಮಗಾರಿಗಳನ್ನು ಹಣಕಾಸಿನ ಲಭ್ಯತೆಯನ್ನು ಅವಲಂಬಿಸಿ ಸರ್ಕಾರ ನಿಗದಿಪಡಿಸುವ ತಾಂತ್ರಿಕ ಗುಣಮಟ್ಟಕ್ಕನುಗುಣವಾಗಿ ಮಾಡುವುದು ಸಮಿತಿಯ ಜವಾಬ್ದಾರಿಯಾಗಿರುತ್ತದೆ. ಅದಾಗ್ಯೂ ಈ ಕೆಳಕಂಡ ವಿನ್ಯಾಸ ಬದಲಾವಣೆಗಳನ್ನು ಮಾಡುವ ಹಾಗಿಲ್ಲ.
1. ಕೆರೆಯಂಗಳವನ್ನು ಸಾಗುವಳಿ ಮಾಡಲು ಅನುಮತಿ ಕೊಡುವುದು.
 2. ಕೆರೆಯ ಕೋಡಿ ಮಟ್ಟವನ್ನು ಏರಿಸುವುದು, ಇಳಿಸುವುದು ಇತ್ಯಾದಿ.
 3. ಕೆರೆ ತೂಬಿನ ಮಟ್ಟವನ್ನು ಏರಿಸುವುದು, ಇಳಿಸುವುದು.
 4. ಯಾವುದೇ ಮೂಲ ವಿನ್ಯಾಸಗಳನ್ನು ಬದಲಾಯಿಸುವ ಹಾಗಿಲ್ಲ.

ix) ಕೆರೆಯ ಕಟ್ಟಡ ರಕ್ಷಣೆ ಹಾಗೂ ಒತ್ತುವರಿ ತಡೆಯುವುದು:

ಅ) ಜಲಾನಯನ ಪ್ರದೇಶದಲ್ಲಿನ ಪೋಷಕ ಕಾಲುವೆ, ನಾಲಾ/ಹಳ್ಳಗಳ, ಖಾಸಗಿ ಹಿಡುವಳಿಗಳಲ್ಲಿನ ಕಾಲುವೆಗಳನ್ನು ವ್ಯವಸ್ಥಿತವಾಗಿ ನೋಡಿಕೊಳ್ಳುವುದು, ಅತಿಕ್ರಮಣ, ಒತ್ತುವರಿ, ಬೇರೆಡೆ ತಿರುಗಿಸುವುದು ಮತ್ತು ಅಲ್ಲಿ ನಿರ್ಮಿಸಿರುವ ಯಾವುದೇ ರಚನೆಯನ್ನು ಹಾನಿಮಾಡದಂತೆ ನೋಡಿಕೊಳ್ಳುವುದು.

ಆ) ಕೆರೆ ಅಂಗಳದ ಒತ್ತುವರಿ ತಡೆಯುವುದು, ಕೆರೆಯಂಗಳದಲ್ಲಿ ಸವಕಳಿ ಆಗುವಂತಹ ಯಾವುದೇ ಚಟುವಟಿಕೆ ನಿರ್ಬಂಧಿಸುವುದು, ಕೆರೆ ಗಡಿ ಕಲ್ಲುಗಳನ್ನು ಹಾನಿ ಮಾಡುವುದು ಅಥವಾ ಅನಧಿಕೃತವಾಗಿ ಬದಲಾಯಿಸುವುದನ್ನು ತಡೆಯುವುದು.

ಇ) ಕೆರೆಯ ತೂಬುಗಳನ್ನು ಅನಧಿಕೃತವಾಗಿ ತೆರೆಯುವುದು, ಹಾನಿ ಮಾಡುವುದು, ಕೆರೆ ಏರಿಯನ್ನು ಹಾನಿ ಮಾಡುವುದು, ಏರಿ ಮೇಲೆ ಪಶುಗಳನ್ನು ಮೇಯಿಸುವುದು, ಒತ್ತುವರಿ ಮಾಡುವುದು, ಕೆರೆಯ ಕೋಡಿಗಳನ್ನು ಹಾನಿ ಮಾಡುವುದು, ಎತ್ತರ ಕಡಿಮೆ ಮಾಡುವುದು ಇತ್ಯಾದಿಗಳನ್ನು ತಡೆಯುವುದು.

ಈ) ಅಚ್ಚುಕಟ್ಟು ಪ್ರದೇಶದಲ್ಲಿನ ರಾಜಕಾಲುವೆ, ಬಸಿಗಾಲುವೆ, ಕೋಡಿ ಕಾಲುವೆಗಳನ್ನು ಹಾನಿಮಾಡುವುದು, ಒತ್ತುವರಿ ಮಾಡುವುದು, ಅನಧಿಕೃತವಾಗಿ ತೆರೆಯುವುದು, ನೀರಿನ ಹರಿವಿಗೆ ಅಡ್ಡಿಪಡಿಸುವುದನ್ನು ತಡೆಯುವುದು, ಅವಧಿವಾರು ಸ್ವಚ್ಛಗೊಳಿಸುವುದು ಇತ್ಯಾದಿ.

ನೀರಿನ ಸದ್ಬಳಕೆಗೆ ಕ್ರಮ:

ಉ) ಕೆರೆಯಲ್ಲಿನ ತೂಬಿನ ಕೆಳಗುಳಿಯುವ ಸ್ಥಿರ ನೀರನ್ನು ಅನಧಿಕೃತವಾಗಿ ಪಂಪ್‌ಮಾಡುವುದು, ಸೈಪನ್ ಮಾಡುವುದು, ಕಲುಷಿತಗೊಳಿಸುವುದು ಇತ್ಯಾದಿಗಳನ್ನು ತಡೆಯುವುದು. ಕೆರೆ ಅಂಗಳದ ಮೇಲ್ಬಾಗದ ಕೃಷಿ ಜಮೀನುಗಳಿಗೆ ಪಂಪ್‌ಸೆಟ್‌ಗಳ ಮೂಲಕ ನೀರನ್ನು ಸೆಳೆದುಕೊಳ್ಳುವುದನ್ನು ತಡೆಯುವುದು.

ಊ) ನೀರು ವಿತರಣೆ ನಿಯಮಗಳ ಉಲ್ಲಂಘನೆ, ಸದರಿ ಹಂಚಿಕೆ ಷೆಡ್ಯೂಲಗಳ ಉಲ್ಲಂಘನೆ, ನೀರು ವಿತರಕರ/ ನೀರುಗಂಟಿಯ ಕಾರ್ಯಾಚರಣೆಗೆ ಅಡ್ಡಿಪಡಿಸುವುದು, ಸಮಿತಿ ನಿಗದಿಪಡಿಸುವ ಬೆಳೆ ಯೋಜನೆಗಳನ್ನು ಉಲ್ಲಂಘಿಸುವುದರ ವಿರುದ್ಧ ಕ್ರಮ ಜರುಗಿಸುವುದು.

ಋ) ವಾರ್ಷಿಕ ಬೆಳೆ ಯೋಜನೆಯನ್ನು ರೂಪಿಸುವುದು, ಬೆಳೆ ಪದ್ಧತಿಗಳನ್ನು ಉತ್ತಮಪಡಿಸುವುದು, ನೀರಾವರಿ ಪದ್ಧತಿಗಳನ್ನು ಉತ್ತಮಪಡಿಸುವುದು, ನೀರು ವಿತರಣೆ ಸಮರ್ಪಕವಾಗಿ ನಿರ್ವಹಿಸುವುದು.

ನೀರಿನ ಸಂಯುಕ್ತ ಬಳಕೆಯನ್ನು ಜಾರಿಗೆ ತರುವುದು ಇತ್ಯಾದಿ ಕ್ರಮಗಳಿಂದ ಭೂಮಿ ಮತ್ತು ನೀರಿನ ಮೂಲಗಳನ್ನು ಉತ್ತಮವಾಗಿ ಎಲ್ಲಾ ಕ್ರಮಗಳನ್ನು ಸಮಿತಿ ಕೈಗೊಳ್ಳುವುದು.

ಎ) ಅಚ್ಚುಕಟ್ಟು ಪ್ರದೇಶದಲ್ಲಿರುವ ಸಾಮೂಹಿಕ ಬಾವಿಗಳಲ್ಲಿನ ನೀರಿನ ಬಳಕೆ, ಬಗ್ಗೆ ನಿಗಾವಹಿಸುವುದು ಇತ್ಯಾದಿ.
ಪರಿಸರ ನಿರ್ವಹಣೆ:

ಏ) ಜಲಾನಯನ ಪ್ರದೇಶದ ಸಾಮೂಹಿಕ ಹಾಗೂ ಖಾಸಗಿ ಹಿಡುವಳಿಗಳಲ್ಲಿ ಮಣ್ಣು ಸವಕಳಿ ತಡೆಯಲು ಕ್ರಮಗಳು.

ಐ) ಜಲಾನಯನ ಹಾಗೂ ಕೆರೆ ಪ್ರದೇಶದಲ್ಲಿನ ತೋಪುಗಳ ಹುಲ್ಲುಗಾವಲು, ಮರಗಿಡಗಳನ್ನು ನಿರ್ವಹಣೆ ಮಾಡುವುದು, ಅತಿಕ್ರಮಣ ತಡೆಯುವುದು ಇತ್ಯಾದಿ.

ಸರ್ಕಾರದ ನಿಯಮಗಳ ಪಾಲನೆ:

ಒ) ಕೆರೆಯಲ್ಲಿನ ಮೀನುಗಾರಿಕೆ, ಮರಳು, ಹೂಳು, ಇತ್ಯಾದಿಗಳ ಬಳಕೆಗೆ ಸರ್ಕಾರದ ನಿಯಮಗಳನ್ನು ಪಾಲಿಸುವುದು ಹಾಗೂ ಜಾರಿಗೊಳಿಸುವುದು.

ಓ) ಅಚ್ಚುಕಟ್ಟು ಪ್ರದೇಶದ ನೀರಿನ ತೆರಿಗೆಗಳ ಹೆಚ್ಚುವರಿ ಪರಿಷ್ಕರಣೆ, ಪಾವತಿ ಅವಧಿ ಷೆಡ್ಯೂಲಗಳನ್ನು ತಯಾರಿಸುವುದು.

ಹಣಕಾಸು ನಿರ್ವಹಣೆ:

x. ಸಮಿತಿಯು ಮುಂದಿನ ವರ್ಷಕ್ಕೆ ಆಯವ್ಯಯವನ್ನು ಸಿದ್ಧಪಡಿಸಿ ಸಮಿತಿ ಸಭೆಗೆ ಮಂಡಿಸಿ ಮಾರ್ಚ್ ಅಂತ್ಯದೊಳಗೆ ಒಪ್ಪಿಗೆ ಪಡೆಯತಕ್ಕದ್ದು.

- xi. ಸಮಿತಿಯು ಕಾನೂನು ರೀತ್ಯಾ ಮಾಡಬೇಕಿರುವ ವಾರ್ಷಿಕ ಲೆಕ್ಕ ಪರಿಶೋಧನೆ, ವಾರ್ಷಿಕ ವರದಿಗಳನ್ನು ನಿಗದಿತ ಅವಧಿಯೊಳಗೆ ಗ್ರಾಮ ಪಂಚಾಯತಿಗೆ ಸಲ್ಲಿಸುವುದು.
- xii. ಸಮಿತಿ ತನ್ನ ಲೆಕ್ಕ ಪತ್ರಗಳನ್ನು ದಾಖಲೆಗಳನ್ನು ತನ್ನ ಕಛೇರಿಯಲ್ಲಿ ಕಟ್ಟುನಿಟ್ಟಾಗಿ ನಿರ್ವಹಿಸುವುದು. ಸಮಿತಿಯ ಲೆಕ್ಕ ವ್ಯವಹಾರಗಳನ್ನು ಪಾರದರ್ಶಕವಾಗಿ ನಡೆಸಿ ತ್ರೈಮಾಸಿಕವಾಗಿ ಸಾರ್ವಜನಿಕ ಸ್ಥಳದಲ್ಲಿ, ಗ್ರಾಮ ಪಂಚಾಯತಿಯ ಸೂಚನಾ ಫಲಕಗಳಲ್ಲಿ ಪ್ರಚಾರ ಪಡಿಸುವುದು.
- xiii. ಸಮಿತಿಯ ಹಣಕಾಸು ವ್ಯವಹಾರಗಳಲ್ಲಿ ಯಾವುದೇ ರೀತಿಯ ದುರುಪಯೋಗವಾದಲ್ಲಿ ಹಣದುರುಪಯೋಗ, ನಷ್ಟ ಮತ್ತು ತನಿಖೆಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ಕರ್ನಾಟಕ ಗ್ರಾಮ ಸ್ವರಾಜ್ ಮತ್ತು ಪಂಚಾಯತ್ ರಾಜ್ (ಗ್ರಾಮ ಪಂಚಾಯತಿಗಳ ಆಯವ್ಯಯ ಮತ್ತು ಲೆಕ್ಕಪತ್ರಗಳು) ನಿಯಮಗಳು, ೨೦೦೬ರ ನಿಯಮ 111 ರಡಿಯ ನಿರೂಪಣೆಯಂತೆ ಕ್ರಮವಹಿಸುವುದು.

ನಿಯಮಾವಳಿಗಳಿಗೆ ತಿದ್ದುಪಡಿ:

- xiv. ಸಮಿತಿಯ ಮೂಲ ಉದ್ದೇಶಗಳಿಗೆ ವ್ಯತಿರಿಕ್ತವಾಗಿ ಸಮಿತಿಯ ಉಪವಿಧಿಗಳಲ್ಲಿ ಯಾವುದೇ ತಿದ್ದುಪಡಿಗಳನ್ನು ಮಾಡುವ ಹಾಗಿಲ್ಲ. ಆದರೆ ತನ್ನ ಉಪವಿಧಿಗಳ ಪರಿಮಿತಿಯಲ್ಲಿ ನಿಯಮಗಳನ್ನು, ನೀತಿ ನಿಬಂಧನೆಗಳನ್ನು ರೂಪಿಸಿ ಅಳವಡಿಸಿಕೊಳ್ಳುವ ಅಧಿಕಾರ ಸಮಿತಿಗಿರುತ್ತದೆ. ಕಾಲಕಾಲಕ್ಕೆ ಅಗತ್ಯ ಬೀಳುವ ತಿದ್ದುಪಡಿಗಳನ್ನು ಮಾಡುವುದು, ಹೊಸ ನಿಯಮಾವಳಿಗಳನ್ನು ರೂಪಿಸುವುದು ಇತ್ಯಾದಿಗಳನ್ನು ಗ್ರಾಮ ಪಂಚಾಯತಿಯಿಂದ ಅನುಮೋದನೆ ಪಡೆದು ಮಾಡತಕ್ಕದ್ದು. ಆದರೆ ಆ ರೀತಿಯ ನೀತಿ ನಿಯಮಾವಳಿಗಳು ಕರ್ನಾಟಕ ನೀರಾವರಿ ಅಧಿನಿಯಮ 1965 ಮತ್ತು ಕರ್ನಾಟಕ ನೀರಾವರಿ ನಿಯಮಾವಳಿಗಳು 1965, ಕರ್ನಾಟಕ ಗ್ರಾಮ ಸ್ವರಾಜ್ ಮತ್ತು ಪಂಚಾಯತ್ ರಾಜ್ ಕಾಯಿದೆ 1993, ಭಾರತೀಯದಂಡ ಸಂಹಿತೆಯ ಅಥವಾ ಸರ್ಕಾರ ಕಾಲಕಾಲಕ್ಕೆ ಹೊರಡಿಸುವ ಆದೇಶಗಳ ಚೌಕಟ್ಟಿನಲ್ಲಿರಬೇಕು.

ವ್ಯಾಜ್ಯಗಳ ನಿರ್ವಹಣೆ:

- xv. ಸಮಿತಿಯ ಕಾರ್ಯನಿರ್ವಹಣೆಯಲ್ಲಿ ಉದ್ಭವಿಸುವ ಎಲ್ಲಾ ವ್ಯಾಜ್ಯಗಳನ್ನು ಪರಿಹರಿಸುವ ಜವಾಬ್ದಾರಿ ಸಮಿತಿಯದ್ದಾಗಿರುತ್ತದೆ. ಯಾವುದೇ ಸದಸ್ಯ ಸಮಿತಿಯ ನಿರ್ಣಯದಿಂದ ಬಾಧಿತನಾದಲ್ಲಿ ಗ್ರಾಮ ಪಂಚಾಯತಿ ಮೂಲಕ ಪರಿಹಾರ ಪಡೆಯಲು ಮೇಲ್ಮನವಿ ಸಲ್ಲಿಸುವ ಅಧಿಕಾರ ಹೊಂದಿರುತ್ತಾನೆ ಅಥವಾ ಸಮಿತಿಯೇ ಅಗತ್ಯಬಿದ್ದಲ್ಲಿ ಮೇಲ್ಮನವಿ ಸಲ್ಲಿಸಬಹುದು.

9. ಗ್ರಾಮ ಪಂಚಾಯತಿ ಹಾಗೂ ಸಣ್ಣ ನೀರಾವರಿ ಇಲಾಖೆಯ ಜವಾಬ್ದಾರಿಗಳು:

- i) ಸಮಿತಿಯ ಕಾರ್ಯಚಟುವಟಿಕೆಗಳು ಸಮಿತಿಯ ನಿಯಮಾವಳಿಯ ಪ್ರಕಾರ ನಡೆಯಲು ಮಾರ್ಗದರ್ಶನ ಮತ್ತು ಸಹಕಾರ ನೀಡುವುದು.
- ii) ಸಮಿತಿಯಲ್ಲಿ ಪರಿಹಾರವಾಗದ ಯಾವುದೇ ಕುಂದುಕೊರತೆಗಳನ್ನು ಬಗೆಹರಿಸುವುದು.
- iii) ಸಮಿತಿಯ ಕಾರ್ಯಕ್ರಮಗಳಿಗೆ ಸರ್ಕಾರದ ಇತರೆ ಇಲಾಖೆಗಳ, ಅಭಿವೃದ್ಧಿ ಯೋಜನೆಯಡಿ ಬೆಂಬಲ ಬೇಕಾದಲ್ಲಿ ಒದಗಿಸುವುದು, ತಾಂತ್ರಿಕ ಸಲಹೆ, ಮಾರ್ಗದರ್ಶನ, ತರಬೇತಿಗಳು ಇತ್ಯಾದಿ ಪೂರಕ ಕಾರ್ಯಕ್ರಮಗಳನ್ನು ಹಮ್ಮಿಕೊಳ್ಳುವುದು.
- iv) ಸಮಿತಿ ಯಾವುದೇ ನಿಯಮಗಳನ್ನು ಉಲ್ಲಂಘಿಸಿ, ಉದ್ದೇಶಗಳಿಗೆ, ಬೈಲಾಗಳಲ್ಲಿನ ನಿಯಮಗಳಿಗೆ ವಿರುದ್ಧವಾಗಿ ಕಾರ್ಯನಿರ್ವಹಿಸಿದಲ್ಲಿ ಕಾನೂನಿನ ಚೌಕಟ್ಟಿನಲ್ಲಿ ಕ್ರಮ ಕೈಗೊಳ್ಳುವುದು.

- v) ನಿಯಮಿತ ಕಾಲಿಕವಾಗಿ ಸಮಿತಿಯ ಕಾರ್ಯಪ್ರಗತಿಯನ್ನು ಮೌಲ್ಯಮಾಪನ ಮಾಡುವುದು ಅಗತ್ಯವಾಗುವ ಎಲ್ಲಾ ತಾಂತ್ರಿಕ ಹಾಗೂ ಆಡಳಿತಾತ್ಮಕ ಸಹಕಾರ ನೀಡುವುದು.
- vi) ಹಂಗಾಮುವಾರು ಬೆಳೆಯ ಯೋಜನೆಯನ್ನು ಸಿದ್ಧಪಡಿಸಿ ಸಮುಚಿತ ಪ್ರಾಧಿಕಾರಕ್ಕೆ ಪ್ರತಿಯೊಂದು ಬೆಳೆಯಡಿಯಲ್ಲಿ ಬರುವ ಪ್ರದೇಶವನ್ನು ತಿಳಿಸಬೇಕು ಮತ್ತು ನೀರಾವರಿ ನೀರನ್ನು ಬಳಸಿಕೊಂಡು ಸಾಗುವಳಿ ಮಾಡಲಾದ ಪ್ರದೇಶದ ಮತ್ತು ಬೆಳೆಗಳ ವಿವರವನ್ನು ಸಂಗ್ರಹಿಸಿ, ಸಂಕಲಿಸಿ ಸಮುಚಿತ ಪ್ರಾಧಿಕಾರಕ್ಕೆ ತಿಳಿಸಬೇಕು.
- vii) ಸಮಿತಿಯಿಂದ ಯಾವುದೇ ರೀತಿಯಲ್ಲಿ ಹಣದ ದುರ್ಬಳಕೆಯಾದಂತಹ ಸಂದರ್ಭಗಳಲ್ಲಿ ಅಧ್ಯಾಯ 5ರ ಖಂಡ 17ರ ಉಪವಿಧಿಗಳಂತೆ ಅದರ ಬ್ಯಾಂಕ್ ಖಾತೆಯನ್ನು ಸ್ಥಗಿತಗೊಳಿಸುವ ಅಥವಾ ತನಿಖೆ ನಡೆಸಿ ಸಂಬಂಧಿತ ಕಾನೂನು ಕ್ರಮಗಳನ್ನು ಕೈಗೊಳ್ಳುವ ಅಧಿಕಾರ ಗ್ರಾಮ ಪಂಚಾಯತಿಗೆ ಹಾಗೂ ಸಣ್ಣ ನೀರಾವರಿ ಇಲಾಖೆಗೆ ಇರುತ್ತದೆ.
- viii) ಕೆರೆ ಮತ್ತು ತತ್ಸಂಬಂಧಿ ಚಟುವಟಿಕೆಗಳು ಇಲಾಖೆಯ ಪರಿವೀಕ್ಷಣೆಗೆ ಮುಕ್ತವಾಗಿರತಕ್ಕದ್ದು ಹಾಗೂ ಕಾಲಕಾಲಕ್ಕೆ ಸರ್ಕಾರ ನಿಗದಿಪಡಿಸಿರುವ ಯಾವುದೇ ಜವಾಬ್ದಾರಿಯನ್ನು ನಿರ್ವಹಿಸುವುದು.

ಅಧ್ಯಾಯ-4

ಸಮಿತಿಯ ಸಭೆಯಲ್ಲಿ ಅನುಸರಿಸಬೇಕಾದ ಕಾರ್ಯವಿಧಾನಗಳು

10. ಸಮಿತಿಯ ಸಭೆಗಳನ್ನು ಕರೆಯುವುದು:

ಅ) ಸಮಿತಿಯು, ಆಯಾ ಗ್ರಾಮ ಪಂಚಾಯತಿ ಕಛೇರಿ ಆವರಣದೊಳಗೆ ಅಥವಾ ಅನುಕೂಲಕರವಾಗಬಹುದಾದಂತಹ ಇತರ ಸ್ಥಳದಲ್ಲಿನ ಕನಿಷ್ಠಪಕ್ಷ ಎರಡು ತಿಂಗಳಿಗೊಮ್ಮೆ ಸಭೆ ಸೇರತಕ್ಕದ್ದು.

(ಆ) ಸಮಿತಿಯ ಸಭೆಯನ್ನು, ಅದರ ಅಧ್ಯಕ್ಷರೊಂದಿಗೆ ಸಮಾಲೋಚಿಸಿ, ಕಾರ್ಯದರ್ಶಿಯು ನಿಗದಿಪಡಿಸಬಹುದಾದಂತಹ ದಿನಗಳಂದು ಮತ್ತು ಸಮಯದಲ್ಲಿ ನಡೆಸತಕ್ಕದ್ದು.

(ಇ) ಕಾರ್ಯದರ್ಶಿಯು, ಸಮಿತಿಯ ಪ್ರತಿಯೊಂದು ಸಭೆಯ ಬಗ್ಗೆ ಸದಸ್ಯರಿಗೆ ಕನಿಷ್ಠಪಕ್ಷ ಒಂದು ವಾರದ ಮೊದಲು ನೋಟೀಸನ್ನು ನೀಡತಕ್ಕದ್ದು ಮತ್ತು ಉದ್ದೇಶಿತ ಕಾರ್ಯಸೂಚಿಯ ಒಂದು ಪ್ರತಿಯನ್ನು ನೋಟೀಸಿನೊಂದಿಗೆ ತಲುಪುವಂತೆ ವ್ಯವಸ್ಥೆ ಕೈಗೊಳ್ಳುವುದು.

ಆದರೆ, ಸಭಾಧ್ಯಕ್ಷರು, ಕಾರ್ಯಸೂಚಿಯಲ್ಲಿ ಸೇರಿಸಿರದ ಯಾವುದೇ ತುರ್ತು ವ್ಯವಹಾರದ ವಿಷಯವನ್ನು ಸಭೆಯ ಮುಂದೆ ಮಂಡಿಸಬಹುದು.

ಅಲ್ಲದೇ, ಕಾರ್ಯದರ್ಶಿಯು ಕನಿಷ್ಠ ಪಕ್ಷ ಒಂದು ದಿನ ಮೊದಲು ನೋಟೀಸನ್ನು ನೀಡುವ ಮೂಲಕ ತುರ್ತು ಸಭೆಯನ್ನು ಕರೆಯಬಹುದು.

(ಈ) ಸಮಿತಿಯ ಸದಸ್ಯರು ಯಾವುದೇ ವಿಷಯಗಳನ್ನು ಸಭೆಯ ಮುಂದೆ ಮಂಡಿಸಲು ಇಚ್ಛಿಸಿದಲ್ಲಿ ವಿಷಯವನ್ನು ಸಮಿತಿಗೆ ಲಿಖಿತ ಮೂಲಕ ಸಭೆಯ ದಿನಾಂಕದಿಂದ ಮೂರು ದಿನಗಳ ಮುಂಚೆ ಒಪ್ಪಿಸುವುದು.

11. ಕೋರಂ:

ಸಮಿತಿಯ ಸಭೆಯನ್ನು ನಡೆಸುವುದಕ್ಕೆ ಅಗತ್ಯವಾದ ಕೋರಂ ಈ ಮುಂದಿನಂತಿರತಕ್ಕದ್ದು:

ಅ) ಅಧ್ಯಕ್ಷರು ಅಥವಾ ಉಪಾಧ್ಯಕ್ಷರು ಮತ್ತು ಕಾರ್ಯದರ್ಶಿ ಸೇರಿದಂತೆ ಸಮಿತಿಯ ಕನಿಷ್ಠ 1/3 ಭಾಗದಷ್ಟು ಸದಸ್ಯರು ಸಭೆಗೆ ಹಾಜರಿರತಕ್ಕದ್ದು.

ಆ) ಕೋರಂ ಕೊರತೆಯಿಂದಾಗಿ ಸಮಿತಿಯ ಸಭೆಯನ್ನು ನಡೆಸಲಾಗದಿದ್ದರೆ, ಸದಸ್ಯ ಕಾರ್ಯದರ್ಶಿಯ ಅಧಿಸೂಚಿಸುವ ಮತ್ತೊಂದು ದಿನಕ್ಕೆ ಸಭೆಯನ್ನು ಮುಂದೂಡಬಹುದು.

ಇ) ಮುಂದೂಡಲ್ಪಟ್ಟ ಸಭೆಯೂ ಸಹ ಅಗತ್ಯ ಕೋರಂನ್ನು ಹೊಂದಿರದಿದ್ದಲ್ಲಿ, ಆಗ ವಾಸ್ತವವಾಗಿ ಹಾಜರಿರುವ ಸದಸ್ಯರನ್ನೇ ಕೋರಂ ಎಂದು ಪರಿಗಣಿಸಿ ಸಭೆ ನಡೆಸಬಹುದು.

12. ಅಧ್ಯಕ್ಷರು ಹಾಗೂ ಉಪಾಧ್ಯಕ್ಷರ ಗೈರು ಹಾಜರಿಯಲ್ಲಿ ಅನುಸರಿಸಬೇಕಾದ ಪದ್ಧತಿ:

ಅಧ್ಯಕ್ಷರು ಹಾಗೂ ಉಪಾಧ್ಯಕ್ಷರ ಗೈರು ಹಾಜರಾಗಿದ್ದಲ್ಲಿ, ಸಭೆಯಲ್ಲಿ ಹಾಜರಿರುವ ಸದಸ್ಯರಲ್ಲಿ ಒಬ್ಬ ಸದಸ್ಯನನ್ನು ಸಭಾಧ್ಯಕ್ಷನಾಗಿ ಚುನಾಯಿಸತಕ್ಕದ್ದು ಹಾಗೂ ಸದರಿ ಸದಸ್ಯ ಆ ಸಭೆಯ ಅಧ್ಯಕ್ಷತೆಯನ್ನು ವಹಿಸತಕ್ಕದ್ದು.

ವಿವರಣೆ: ಈ ಉಪಬಂಧದ ಉದ್ದೇಶಕ್ಕಾಗಿ “ಗೈರು ಹಾಜರಿ” ಎಂದರೆ ಕೇವಲ ತಾತ್ಕಾಲಿಕ ಸ್ವರೂಪದ್ದಾಗಿರುತ್ತದೆಯೇ ಹೊರತು ಆಕಸ್ಮಿಕ ಖಾಲಿ ಹುದ್ದೆಗೆ ಉಲ್ಲೇಖಿತವಾಗುವುದಿಲ್ಲ.

13. ಪ್ರಶ್ನೆಗಳನ್ನು ನಿರ್ಣಯಿಸುವ ವಿಧಾನ:

ಅ) ಸಮಿತಿಯ ಮುಂದೆ ಇರುವ ಎಲ್ಲ ವಿಷಯಗಳನ್ನು ಸಾಮಾನ್ಯವಾಗಿ ಹಾಜರಿರುವ ಸದಸ್ಯರೆಲ್ಲರೂ ಒಮ್ಮತಾಭಿಪ್ರಾಯದಿಂದ ನಿರ್ಧರಿಸತಕ್ಕದ್ದು.

ಆ) ಒಮ್ಮತಾಭಿಪ್ರಾಯ ಮೂಡದಿದ್ದಲ್ಲಿ, ಈ ಉಪವಿಧಿಯ ಖಂಡ 14 ರಡಿಯಲ್ಲಿ ಗೊತ್ತುಪಡಿಸಲಾದ ಮಾದರಿಯಲ್ಲಿ ಮತ ಹಾಕುವ ಮೂಲಕ ನಿರ್ಧರಿಸತಕ್ಕದ್ದು.

14. ಮತ ಹಾಕುವ ವಿಧಾನ:

ಅ) ಎಲ್ಲ ಸದಸ್ಯರು ಮತ ಹಾಕುವುದಕ್ಕೆ ಸಮಾನ ಹಕ್ಕನ್ನು ಹೊಂದಿರತಕ್ಕದ್ದು.

ಆ) ಕೈಗಳನ್ನು ಎತ್ತುವ ಮೂಲಕ ಮತ ಹಾಕಬಹುದು, ಆದರೆ ಸಮಿತಿಯು, ಯಾವುದೇ ವಿಷಯ ಅಥವಾ ವಿಷಯಗಳನ್ನು ಮತಪತ್ರದ ಮೂಲಕ ನಿರ್ಧರಿಸತಕ್ಕದೆಂದು ನಿರ್ಣಯಿಸಬಹುದು.

ಇ) ವಿಷಯವನ್ನು ಮತಕ್ಕೆ ಹಾಕಿದಲ್ಲಿ, ಸಮಿತಿಯ ಹಾಜರಿರುವ ಸದಸ್ಯರು ಸಾಧಾರಣ ಬಹುಮತದಿಂದ ಅದನ್ನು ಬೆಂಬಲಿಸಿದ ಹೊರತು, ಅದನ್ನು ಅಂಗೀಕರಿಸತಕ್ಕದ್ದಲ್ಲ.

ಈ) ಸಮಾನ ಸಂಖ್ಯೆಯ ಮತಗಳು ಬಿದ್ದ ಸಂದರ್ಭದಲ್ಲಿ, ಸಭಾಧ್ಯಕ್ಷರು ಎರಡನೇ ಅಥವಾ ನಿರ್ಣಾಯಕ ಮತವನ್ನು ಹೊಂದಿರತಕ್ಕದ್ದು ಮತ್ತು ಅದನ್ನು ಚಲಾಯಿಸತಕ್ಕದ್ದು.

15. ನಿರ್ಣಯಗಳನ್ನು ದಾಖಲಿಸುವುದು.

ಅ) ಕಾರ್ಯದರ್ಶಿಯು, ಸಮಿತಿಯ ನಿರ್ಣಯಗಳ ದಾಖಲೆಗಳನ್ನು ನಿರ್ವಹಿಸತಕ್ಕದ್ದು ಮತ್ತು ನಿರ್ಣಯಗಳ ಪ್ರತಿಗಳನ್ನು ಸದಸ್ಯರಿಗೆ ಪರಿಚಲನೆ ಮಾಡತಕ್ಕದ್ದು.

ಆ) ಮೇಲೆ ನಮೂದಿಸಿದ ದಾಖಲೆಗಳನ್ನು ಸದಸ್ಯರ ಅವಗಾಹನೆಗಾಗಿ ಸಮಿತಿಯ ಕಾರ್ಯದರ್ಶಿಯ ಸುಬರ್ದಿನಲ್ಲಿ ಇಡತಕ್ಕದ್ದು.

ಅಧ್ಯಾಯ - 5

ಶಿಸ್ತು ಕ್ರಮ

16. ದೂರುಗಳ ಪರಿಹಾರ ಕಾರ್ಯತಂತ್ರ:

ಅ) ಕೆರೆ ಅಭಿವೃದ್ಧಿ ಮತ್ತು ನಿರ್ವಹಣಾ ಸಮಿತಿಯ ಸಮಗ್ರ ಕಾರ್ಯ ನಿರ್ವಹಣೆಗೆ ಸಂಬಂಧಪಟ್ಟಂತೆ ಯಾವುದೇ ದೂರು, ಕೆರೆ ಅಭಿವೃದ್ಧಿ ಮತ್ತು ನಿರ್ವಹಣಾ ಸಮಿತಿ ಯಾವೊಬ್ಬ ಸದಸ್ಯನ ವಿರುದ್ಧವಾಗಿರುವ ಸಂದರ್ಭದಲ್ಲಿ ಹಣಕಾಸು, ಲೆಕ್ಕಪರಿಶೋಧನೆ ಮತ್ತು ಯೋಜನಾ ಸ್ಥಾಯಿ ಸಮಿತಿಯು ಈ ಮುಂದಿನ ಕಾರ್ಯವಿಧಾನವನ್ನು ಅನುಸರಿಸಬೇಕು.

- i. ದೂರು ಸ್ವೀಕರಿಸಿದ 10 ದಿನಗಳೊಳಗಾಗಿ ಇಬ್ಬರು ಸದಸ್ಯರಿರುವ ತನಿಖಾ ತಂಡವನ್ನು ರಚಿಸಬೇಕು.
- ii. ಸದರಿ ತಂಡವು ದೂರನ್ನು ಪರಿಶೀಲಿಸಿ ಅವ್ಯವಹಾರಗಳನ್ನು ಸರಿಪಡಿಸುವ ವಿಧಾನಗಳನ್ನು ಸೂಚಿಸಿ, ತಂಡ ರಚನೆಯಾದ ಹತ್ತು ದಿನಗಳೊಳಗಾಗಿ ಸ್ಥಾಯಿ ಸಮಿತಿಗೆ ವರದಿ ನೀಡಬೇಕು.
- iii. ಕೆರೆ ಅಭಿವೃದ್ಧಿ ಮತ್ತು ನಿರ್ವಹಣಾ ಸಮಿತಿಗೆ ದೂರು ಪ್ರತಿಗಳ (ಫಿರ್ಯಾದುದಾರನ ಹೆಸರು ತಿಳಿಸಿರದಿದ್ದಲ್ಲಿ) ಮತ್ತು ತನಿಖಾ ತಂಡದ ವರದಿಯೊಂದಿಗೆ ಕಾರಣ ಕೇಳುವ ನೋಟೀಸನ್ನು ಕಳುಹಿಸಿ ಅವ್ಯವಹಾರಗಳನ್ನು ಸರಿಪಡಿಸಲು 10 ದಿನಗಳ ಕಾಲಾವಕಾಶ (ನೋಟೀಸು ಜಾರಿಗೊಳಿಸಿದ ದಿನಾಂಕದಿಂದ) ನೀಡಬೇಕು.
- iv. ಕೆರೆ ಅಭಿವೃದ್ಧಿ ಮತ್ತು ನಿರ್ವಹಣಾ ಸಮಿತಿಯು 15 ದಿನಗಳೊಳಗಾಗಿ (ಕಾರಣ ಕೇಳುವ ನೋಟೀಸು ಜಾರಿಗೊಳಿಸಿದ ದಿನಾಂಕದಿಂದ) ಸ್ಥಾಯಿ ಸಮಿತಿಗೆ ಅನುಪಾಲನಾ ವರದಿಯನ್ನು ಸಲ್ಲಿಸಬೇಕು.
- v. ಅನುಪಾಲನಾ ವರದಿಯನ್ನು ಸ್ವೀಕರಿಸಿದ ತರುವಾಯ ಕೆರೆ ಅಭಿವೃದ್ಧಿ ಮತ್ತು ನಿರ್ವಹಣಾ ಸಮಿತಿಯು ಅವ್ಯವಹಾರಗಳನ್ನು ಸರಿಪಡಿಸಿದ ಬಗ್ಗೆ ಸ್ಥಾಯಿ ಸಮಿತಿಯು ಖುದ್ದಾರಿ ಪರಿಶೀಲಿಸಲು.
- vi. ಕೆರೆ ಅಭಿವೃದ್ಧಿ ಮತ್ತು ನಿರ್ವಹಣಾ ಸಮಿತಿಯ ಅನುಪಾಲನಾ ವರದಿಯನ್ನು ಸಲ್ಲಿಸಿದ್ದರೂ ಅವ್ಯವಹಾರಗಳನ್ನು ಸರಿಪಡಿಸಿ ಅಥವಾ ಕಾರಣ ಕೇಳುವ ನೋಟೀಸಿಗೆ ಅನುಗುಣವಾಗಿ ಕ್ರಮ ಕೈಗೊಳ್ಳಲು ಕೆರೆ ಅಭಿವೃದ್ಧಿ ಮತ್ತು ನಿರ್ವಹಣಾ ಸಮಿತಿಯು ನಿರಾಕರಿಸಿದೆ ಎಂದು ಸ್ಥಾಯಿ ಸಮಿತಿ ಅಭಿಪ್ರಾಯಪಟ್ಟರೆ ಕೆರೆ ಅಭಿವೃದ್ಧಿ ಮತ್ತು ನಿರ್ವಹಣಾ ಸಮಿತಿಯನ್ನು 15 ದಿನಗಳ ಅವಧಿಯೊಳಗಾಗಿ ರದ್ದು ಮಾಡಬಾರದೇಕೆ ಎಂಬ ಬಗ್ಗೆ ಕಾರಣ ಕೇಳುವ ಎರಡನೇ ನೋಟೀಸನ್ನು ಸ್ಥಾಯಿ ಸಮಿತಿಯು ಜಾರಿ ಮಾಡಬೇಕು.
- vii. ಅವ್ಯವಹಾರಗಳನ್ನು ಸರಿಪಡಿಸಲು ಕೆರೆ ಅಭಿವೃದ್ಧಿ ಮತ್ತು ನಿರ್ವಹಣಾ ಸಮಿತಿಯು ಎರಡನೇ 15 ದಿನಗಳ ಅವಧಿಯಲ್ಲಿ ತೆಗೆದುಕೊಂಡ ಕ್ರಮಗಳು ತೃಪ್ತಿಕರವಾಗಿಲ್ಲದಿದ್ದಲ್ಲಿ ಹಣಕಾಸು, ಲೆಕ್ಕಪರಿಶೋಧನೆ ಮತ್ತು ಯೋಜನಾ ಸ್ಥಾಯಿ ಸಮಿತಿಯು “ಕೆರೆ ಅಭಿವೃದ್ಧಿ ಮತ್ತು ನಿರ್ವಹಣಾ ಸಮಿತಿಯನ್ನು” ರದ್ದುಪಡಿಸುವ ಪ್ರಸ್ತಾವನೆಯನ್ನು ಗ್ರಾಮ ಪಂಚಾಯತಿಯ ಸಾಮಾನ್ಯ ಅಥವಾ ವಿಶೇಷ ಸಭೆಗೆ ಸಲ್ಲಿಸಬೇಕು. ಈ

ಪ್ರಸ್ತಾವನೆಯ ಬಗ್ಗೆ ಗ್ರಾಮ ಪಂಚಾಯತಿಯ ಚರ್ಚಿಸಿ ಸೂಕ್ತ ನಿರ್ಧಾರ ಕೈಗೊಳ್ಳಬೇಕು.

- viii. ಕೆರೆ ಅಭಿವೃದ್ಧಿ ಮತ್ತು ನಿರ್ವಹಣಾ ಸಮಿತಿಯನ್ನು ರದ್ದುಪಡಿಸಿದ ಸಂದರ್ಭದಲ್ಲಿ ಅದು ಹಾಗೆ ರದ್ದುಗೊಂಡ ೧ ತಿಂಗಳೊಳಗಾಗಿ ಕೆರೆ ಅಭಿವೃದ್ಧಿ ಮತ್ತು ನಿರ್ವಹಣಾ ಸಮಿತಿಯ ಮರು ರಚನೆ ಮಾಡಿದ ಬಗ್ಗೆ ಖಚಿತಪಡಿಸಿಕೊಳ್ಳಬೇಕು.
- ix. ಕೆರೆ ಅಭಿವೃದ್ಧಿ ಮತ್ತು ನಿರ್ವಹಣಾ ಸಮಿತಿಯ ರಚನೆಯಾಗುವವರೆಗೆ ಅದರ ಪ್ರಕಾರ್ಯಗಳನ್ನು ಹಣಕಾಸು, ಲೆಕ್ಕಪರಿಶೋಧನೆ ಮತ್ತು ಯೋಜನಾ ಸ್ಥಾಯಿ ಸಮಿತಿಯು ನಿರ್ವಹಿಸಬೇಕು.
- x. ಮೇಲಿನ ವಿಧಾನವನ್ನು ಉಪಖಂಡಿಕೆ (i) ರಿಂದ (vii) ನ್ನು ಅನುಸರಿಸಿ ಶಿಸ್ತು ಕ್ರಮ ಜರುಗಿಸುವ ಅಧಿಕಾರ ಸಣ್ಣ ನೀರಾವರಿ ಇಲಾಖೆಯ ಜಿಲ್ಲಾ ಮಟ್ಟದ ಅಧಿಕಾರಿಗೆ ಇರುತ್ತದೆ. ಪರಂತು ಉಪಖಂಡಿಕೆ (viii) ಹಾಗೂ (ix) ರಂತೆ ಗ್ರಾಮ ಪಂಚಾಯತಿಗೆ ಮಾತ್ರ ಕ್ರಮ ಜರುಗಿಸುವ ಅಧಿಕಾರವಿರುತ್ತದೆ.

17. ಖಾತೆಯ ನಿರ್ವಹಣೆಯ ಅಮಾನತ್ತುಗೊಳಿಸುವುದು

ಕೆರೆ ಅಭಿವೃದ್ಧಿ ಮತ್ತು ನಿರ್ವಹಣಾ ಸಮಿತಿಯ ಖಾತೆಯ ವ್ಯವಹಾರಗಳು ನಿಯಮಗಳಿಗನುಸಾರ ನಿರ್ವಹಿಸದಿದ್ದರೆ ಅಥವಾ ಅವ್ಯವಹಾರಗಳು ಮೇಲ್ನೋಟಕ್ಕೆ ಕಂಡುಬಂದರೆ ಅಧ್ಯಕ್ಷ ಹಾಗೂ ಸದಸ್ಯ ಕಾರ್ಯದರ್ಶಿ ಆ ಖಾತೆಯನ್ನು ನಿರ್ವಹಿಸುವುದನ್ನು ನಿಲ್ಲಿಸುವಂತೆ ಹಣಕಾಸು, ಲೆಕ್ಕಪರಿಶೋಧನೆ ಮತ್ತು ಯೋಜನಾ ಸ್ಥಾಯಿ ಸಮಿತಿಯು ನಿರ್ದೇಶನ ನೀಡಬೇಕು ಹಾಗೂ ಸಂಬಂಧಪಟ್ಟ ಬ್ಯಾಂಕ್ ವ್ಯವಸ್ಥಾಪಕರಿಗೆ ಪತ್ರ ಮುಖೇನ ತಿಳಿಸಬೇಕು.

ಅಧ್ಯಾಯ-6

18. ಹಣಕಾಸು

ಅ) ರಿಸರ್ವ್ ಬ್ಯಾಂಕ್‌ನಿಂದ ಮನ್ನಣೆ ಪಡೆದ ರಾಷ್ಟ್ರೀಕೃತ ಬ್ಯಾಂಕ್ ಅಥವಾ ಅನುಸೂಚಿತ ಬ್ಯಾಂಕ್ ಅಥವಾ ಸಹಕಾರಿ ಬ್ಯಾಂಕ್‌ನ ಖಾತೆಯಲ್ಲಿ ಅಥವಾ ಅಂಚೆ ಕಚೇರಿಯಲ್ಲಿ ಸಮಿತಿಯ ವಿವಿಧ ನಿಧಿಗಳನ್ನು ಠೇವಣಿ ಇಡತಕ್ಕದ್ದು, ಅಂಥ ಖಾತೆಯನ್ನು ಸಮಿತಿಯ ಹೆಸರಿನಲ್ಲಿ ತೆರೆಯತಕ್ಕದ್ದು.

ಆ) ಮೇಲೆ ತಿಳಿಸಿರುವ ಖಾತೆಗಳನ್ನು ಅಧ್ಯಕ್ಷರು ಹಾಗೂ ಸದಸ್ಯ ಕಾರ್ಯದರ್ಶಿಯವರು ಜಂಟಿಯಾಗಿ ನಿರ್ವಹಿಸತಕ್ಕದ್ದು.

ಇ) ಸಮಿತಿಯ ಎಲ್ಲಾ ಆದಾಯ ಮತ್ತು ವೆಚ್ಚಗಳನ್ನು ಕೆರೆ ಅಭಿವೃದ್ಧಿ ಮತ್ತು ನಿರ್ವಹಣಾ ಸಮಿತಿಯ ಪ್ರತಿ ಸಭೆಯಲ್ಲೂ ಚರ್ಚಿಸತಕ್ಕದ್ದು.

ಈ) ಒಂದು ಸಾವಿರ ರೂ.ಗಳನ್ನು ಮೀರಿದ ಯಾವುದೇ ಹಣ ಹಿಂತೆಗೆಯುವಿಕೆಗೆ ಕೆರೆ ಅಭಿವೃದ್ಧಿ ಮತ್ತು ನಿರ್ವಹಣಾ ಸಮಿತಿ ಪೂರ್ವಾನುಮತಿ ಪಡೆಯತಕ್ಕದ್ದು.

ಪರಂತು, ತುರ್ತು ವೆಚ್ಚಗಳನ್ನು ಭರಿಸಲು ಯಾವುದೇ ಹಣವನ್ನು ಹಿಂತೆಗೆದುಕೊಳ್ಳಬಹುದು. ಅದನ್ನು ಕೆರೆ ಅಭಿವೃದ್ಧಿ ಮತ್ತು ನಿರ್ವಹಣಾ ಸಮಿತಿಯ ಮುಂದಿನ ಸಭೆಯಲ್ಲಿ ಚರ್ಚಿಸತಕ್ಕದ್ದು ಮತ್ತು ಘಟನೋತ್ತರ ಅನುಮೋದನೆ ಪಡೆಯತಕ್ಕದ್ದು.

19. ಲಾಭದ ಮೇಲೆ ನಿಷೇಧ:

ಕೆರೆ ಅಭಿವೃದ್ಧಿ ಮತ್ತು ನಿರ್ವಹಣಾ ಸಮಿತಿ ಲಾಭ ಮತ್ತು ಆಸ್ತಿಯ ಯಾವುದೇ ಭಾಗವನ್ನು ವೃತ್ತಿ ವೇತನದ ರೂಪದಲ್ಲಾಗಲೀ ಅಥವಾ ಆತನ ಲಾಭದ ರೂಪದಲ್ಲಾಗಲೀ ಯಾವುದೇ ಸದಸ್ಯನಿಗೆ ಅಥವಾ ಯಾವುದೇ ಸದಸ್ಯರ ಮೂಲಕ ಪಡೆಯ ಬಯಸಿದ್ದಲ್ಲಿ ಯಾವುದೇ ವ್ಯಕ್ತಿಗೆ ಪ್ರತ್ಯಕ್ಷವಾಗಿ ಅಥವಾ ಪರೋಕ್ಷವಾಗಿ ವಿನಿಯೋಗಿಸತಕ್ಕದ್ದಲ್ಲ ಅಥವಾ ವರ್ಗಾಯಿಸತಕ್ಕದ್ದಲ್ಲ.

ಪರಂತು, ಈ ಖಂಡದಲ್ಲಿರುವ ಯಾವುದೂ, ಕೆರೆ ಅಭಿವೃದ್ಧಿ ಪರವಾಗಿ ಸದ್ಭಾವನೆಯಿಂದ ಖರ್ಚು ಮಾಡಿದ್ದಲ್ಲಿ ಯಾವುದೇ ಸದಸ್ಯನಿಗೆ ಮರುಪಾವತಿಯ ಸಂದಾಯ ಮಾಡುವುದಕ್ಕೆ ಅಡ್ಡಿಪಡಿಸತಕ್ಕದ್ದಲ್ಲ.

ಮತ್ತು ಪರಂತು, ಸದಸ್ಯರಿಗೆ ತರಬೇತಿಗಾಗಿ ಹಂಚಿಕೆಯಾದ ಯಾವುದೇ ಮೊತ್ತವನ್ನು ಸದ್ಭಾವನೆಯಿಂದ ಅಂತಹ ಸದಸ್ಯರಿಗೆ ಸಂದಾಯ ಮಾಡುವುದಕ್ಕೆ ಈ ಖಂಡದಲ್ಲಿರುವ ಯಾವುದೂ ಅಡ್ಡಿಪಡಿಸತಕ್ಕದ್ದಲ್ಲ.

ಅಧ್ಯಾಯ-7**ಇತರ ವಿವರಗಳು****20. ಸದಸ್ಯತ್ವವನ್ನು ಕೊನೆಗೊಳಿಸುವುದು:**

ಈ ಕೆಳಕಂಡ ಯಾವುದೇ ಘಟನೆಗಳು ಸಂಭವಿಸಿದಲ್ಲಿ ಸದಸ್ಯತ್ವವು ರದ್ದಾಗತಕ್ಕದ್ದು.

- ಸದಸ್ಯರು ಸಮಿತಿಯ ನಿರಂತರ ಮೂರು ಸಭೆಗಳಿಗೆ ಗೈರು ಹಾಜರಾದಲ್ಲಿ;
- ಸಮಿತಿಯ ವ್ಯಾಪ್ತಿಯಲ್ಲಿ ಬರುವ ಯಾವುದೇ ವ್ಯವಹಾರದ ನಿರ್ವಹಣೆಯಲ್ಲಿ ಆತ/ಆಕೆಯು ಭ್ರಷ್ಟಚಾರದಲ್ಲಿ ತೊಡಗಿದ್ದಲ್ಲಿ;
- ಯಾವುದೇ ಕಾರಣದ ನಿಮಿತ್ತ ಸದಸ್ಯ ಗ್ರಾಮ ಪಂಚಾಯಿತಿ ವ್ಯಾಪ್ತಿ ತೊರೆದಲ್ಲಿ;
- ಯಾವುದೇ ನ್ಯಾಯಾಲಯದಿಂದ ಆತ/ಆಕೆಯು ಆಪಾದಿತನೆಂದು ತೀರ್ಮಾನವಾಗಿದ್ದಲ್ಲಿ;

21. ಸದಸ್ಯರನ್ನು ತೆಗೆದು ಹಾಕುವುದು:

- ಸಮಿತಿಯ ಉದ್ದೇಶಗಳಿಗೆ ವಿರುದ್ಧವಾಗಿ ನಡೆದು ಕೊಳ್ಳುವುದು ಅಥವಾ ದುರ್ನಡತೆ ಎಸಗಿದಾಗ ಸದಸ್ಯರಿಂದ ಲಿಖಿತ ರೂಪದಲ್ಲಿ ಸಮಜಾಯಿಷಿಯನ್ನು ಕೋರಿ ಆ ಮೂಲಕ ಮುನ್ನೆಚ್ಚರಿಕೆಗಳನ್ನು ನೀಡಿದಾಗ್ಯೂ ಸದಸ್ಯನ ನಡಾವಳಿಗಳಲ್ಲಿ ಬದಲಾವಣೆ ಆಗದಿದ್ದ ಪಕ್ಷದಲ್ಲಿ ಹಾಗೂ ಮಾನಸಿಕ ಅಸ್ವಸ್ಥನೆಂದು ವೈದ್ಯಕೀಯವಾಗಿ ದೃಢಪಟ್ಟಿದ್ದಲ್ಲಿ ಸಮಿತಿಯು, ಮೂರನೇ ಎರಡರಷ್ಟು ಸದಸ್ಯರ ಬಹುಮತದಲ್ಲಿ ಅಂತಹ ಸದಸ್ಯರ ಸದಸ್ಯತನವನ್ನು ರದ್ದುಗೊಳಿಸಬಹುದು. ಸದಸ್ಯತ್ವ ರದ್ದುಗೊಂಡ ಸದಸ್ಯನು ಈ ಸಂಬಂಧ ಯಾವುದೇ ಅಹವಾಲುಗಳಿದ್ದಲ್ಲಿ 30 ದಿನಗಳೊಳಗೆ ಗ್ರಾಮ ಪಂಚಾಯಿತಿಗೆ ಸಕಾರಣಗಳೊಂದಿಗೆ ಲಿಖಿತ ಅರ್ಜಿಯನ್ನು ಸಲ್ಲಿಸಬಹುದು. ಗ್ರಾಮ ಪಂಚಾಯಿತಿಯು ಸಾಮಾನ್ಯ ಬಹುಮತದ ಮೂಲಕ ಅಂತಹ ಸದಸ್ಯರ ಅಹವಾಲನ್ನು ಪರಿಶೀಲಿಸಿ, ಸದಸ್ಯತನವನ್ನು ಪುನರ್ ನೇಮಕ ಮಾಡಬಹುದು ಅಥವಾ ರದ್ದುಗೊಳಿಸುವುದು.

22. ಆಕಸ್ಮಿಕ ಖಾಲಿ ಸ್ಥಾನಗಳನ್ನು ತುಂಬುವುದು:

- ಯಾವುದೇ ಸದಸ್ಯರ ಸ್ಥಾನವು ಆಕಸ್ಮಿಕ/ಆತನ ಪದಾವಧಿಯು ಸಾಮಾನ್ಯ ಕ್ರಮದಲ್ಲಿ ಮುಕ್ತಾಯಗೊಳ್ಳುವ ಮೊದಲೇ ಖಾಲಿಯಾದಲ್ಲಿ, ತತ್ಪರಿಣಾಮವಾಗಿ ಉಂಟಾಗುವ ಆ ಆಕಸ್ಮಿಕ ಖಾಲಿ ಸ್ಥಾನವನ್ನು ಸಮಿತಿಯು ತನ್ನ ಸಭೆಯಲ್ಲಿ ಒಬ್ಬರನ್ನು ಆ ಸ್ಥಾನಕ್ಕೆ ತುಂಬಬಹುದು.

ಪರಂತು, ಸಮಿತಿಯು ಈ ಉಪವಿಧಿಗಳ ಖಂಡ 16 ರ ಮೇರೆಗೆ ಸಂಪೂರ್ಣವಾಗಿ ವಿಸರ್ಜನೆಯಾಗಿದ್ದಲ್ಲಿ ಖಂಡ 16 ರ ಮೇರೆಗೆ ಗೊತ್ತುಪಡಿಸಿದ ಕಾರ್ಯವಿಧಾನವನ್ನು ಅನುಸರಿಸತಕ್ಕದ್ದು.

- ii. ಮೇಲಿನ (i) ಖಂಡದ ಮೇರೆಗೆ ನೇಮಕಗೊಂಡ ಸದಸ್ಯನ ಪದಾವಧಿಯು ಸಮಿತಿಯ ಉಳಿದ ಅವಧಿಗೆ ಅಥವಾ 20 ನೇ ಖಂಡದ ಪ್ರಕಾರ ಆತ/ಆಕೆ ಸದಸ್ಯನಾಗಿರುವುದು ಮುಕ್ತಾಯವಾಗುವವರೆಗೆ ಇವುಗಳಲ್ಲಿ ಯಾವುದು ಮೊದಲು ಅಲ್ಲಿಯವರೆಗೆ ಇರುವುದು.

23. ಅಧಿಕೃತ ಸಂವಹನ ಮತ್ತು ಒಪ್ಪಂದಗಳು:

ಅ) ಕಾರ್ಯದರ್ಶಿಯು ಸಮಿತಿಯ ಪೂರ್ವಾನುಮೋದನೆಯನ್ನು ಪಡೆದು ಉಪವಿಧಿಯ 9ನೇ ಖಂಡದಲ್ಲಿ ನಿರ್ದಿಷ್ಟಪಡಿಸಿದ ಯಾವುದೇ ಪ್ರಕಾರ್ಯಗಳನ್ನು ನಿರ್ವಹಿಸಲು ಸಮಿತಿಯ ಪರವಾಗಿ ಲಿಖಿತ ಒಪ್ಪಂದಗಳನ್ನು ಮಾಡಿಕೊಳ್ಳತಕ್ಕದ್ದು.

ಆ) ಸಮಿತಿಯ ಎಲ್ಲಾ ಅಧಿಕೃತ ಪತ್ರಗಳನ್ನು ಕಾರ್ಯದರ್ಶಿಯು ಸಹಿ ಮಾಡತಕ್ಕದ್ದು.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆಜ್ಞಾನುಸಾರ
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ

(ಬಿ. ನವೀನ್ ಕುಮಾರ್)

ಉಪನಿರ್ದೇಶಕರು ಹಾಗೂ ಪದನಿಮಿತ್ತ

ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ, (ಗ್ರಾ.ಪಂ.)

ಗ್ರಾಮೀಣಾಭಿವೃದ್ಧಿ ಮತ್ತು ಪಂಚಾಯತ್ ರಾಜ್ ಇಲಾಖೆ.

PR-78

DEPARTMENT OF HIGHER EDUCATION, GOVERNMENT OF KARNATAKA NOTIFICATION

No. ED 106 URC 2019, Dated: 18-12-2019

In exercise of the powers conferred by sub-section (1) of section 61 of the Vydehi University Act-2013 (Karnataka Act No.36 of 2013), the Government of Karnataka hereby makes the following rules, namely:-

1. Title and commencement- (1) These rules may be called the Vydehi University Rules, 2019.

(2) They shall come into force with effect from the date of their publication in the official Gazette.

2. Definitions.- In this Rules, unless the context otherwise requires-

- (a) "Act" means the Vydehi University Act, 2013 (Karnataka Act No.36 of 2013);
- (b) "Section" means section of the Act;
- (c) "Council" means the Karnataka State Higher Education Council;

- (2) The words and expressions used these rules but not defined shall have the same meanings as assigned to them in that Act.

3. Salary and Allowances and Conditions of Service of Officers and employees of the University- (1) The salary and allowances payable to the teaching faculty shall be on par with the U.G.C Pay scales.

- (2) The salary and allowances of other employees shall be on par with the other State Government Employees of equivalent rank.

- (3) The method of recruitment of teaching staff shall be in accordance with the U.G.C regulations issued from time to time in respect of non-teaching staff shall be in accordance with merit and with recruitment policy of State Government as the case may be.

4. Institution of New Courses in the University-(1) The University shall send a proposal along with the approval of the Sponsoring Body and the Board of Governors to the Council well before the commencement of the each academic year for starting of new courses as per the course specification of U.G.C, A.I.C.T.E and other National Accreditation Bodies as the case may be.

Provided that Sponsoring Body and the Board of Governors before approving the proposal of institution of new courses, shall ensure requisite additional facilities having been created and requisite staff having been appointed as per the norms and standards of concerns Regulatory Authorities.

- (2) On receipt of the application under sub-rule (1), the Council shall direct an inspection to be made by expert committee.

Provided the expert committee constituted by the Council shall consist of atleast one former Vice-Chancellor of State Public University.

- (3) The Executive Director, the Council shall submit the application and its transcripts and the report of the expert committee to the State Government for taking a decision thereon.

- (4) The State Government shall consider such applications in the light of recommendation of the expert committee and after such enquiry as may appear to it to be essential, shall permit the University to start new courses or reject the proposal as the case may be, including the variation in the intake.

- (5) Any application made under sub-rule (1) may be withdrawn by the University at any time before a permission or rejection is made under sub- rule (4).

5. Closure of existing Courses in the University-(1) The University if intends to close down the existing course in view of its in capacity or financial viability or dearth of admissions shall submit application to the State Government in writing of

not less than 3 months prior to intended closure of the course, stating the reasons therefor;

(2) The State Government on consideration of the same shall issue directions either to permit the closure or to reject the closure to the University.

(3) The University shall not close the courses during the currency of the academic year and until the last batch of students in the course complete their course of studies and annual examinations conducted by it in respect of course of study or over.

6. Enhancement and reduction of the Courses.-

The provisions of rule (4) shall mutatis mutandis apply for enhancement or reduction in intake of the courses in the University.

7. Powers of State Government to inspect and issue Directions- 1) For the purpose of ascertaining the standards of teaching, examination and research or any other matter relating to the University, the Government may, after consultation with Vice-Chancellor, cause an assessment to be made by the Expert Committee constituted by the Government consisting of 3 eminent Educationist, one of them shall be Former Vice-Chancellor of State Public University.

(2) On receipt of the report from the Expert Committee, the Government shall communicate its recommendations in regard to result of assessment for corrective action and the University shall take the corrective measures as are necessary so as to ensure the compliance of the recommendations. If the University fails to comply with the recommendations made under sub-section(2), within a reasonable time the Government may give such directions as it may deem fit which shall be binding on the University.

8. Permanent Statutory Endowment Fund:- (1) The Permanent Statutory endowment fund shall be pledged in the name of Director, Collegiate Education, Karnataka, who shall also be the custodian for all documents and instruments related to the permanent statutory endowment fund and its investment in a Nationalized Bank in accordance with the provisions of the Act.

(2) In case the University or the sponsoring body contravenes any of the provisions of the Act, Statutes, Ordinance, regulations or rules made there under, a part or whole of the endowment fund may be forfeited by the Government but before such Forfeiture, a show cause notice shall be served by the Government on the sponsoring body or the University, as the case may be;

(3) the Government shall, among other things, duly consider the reply submitted by the sponsoring body or the University.

(4) In case the reply to show cause notice issued under sub-rule (2) is not submitted by the sponsoring body or the University within 45 days of the notice, the government may decide the case without waiting for such reply.

(5) the forfeited amount of permanent endowment fund shall vest in the government and it shall be used in the manner to be specified by the Government at the time of forfeiture.

(6) All other funds called General Fund under section 49 and Development Fund under section 50 shall be maintained in double entry Book keeping method, and shall be kept in a nationalized or Scheduled Bank.

(7) Permanent statutory Fund, General Fund and Development Fund shall be audited by the Chartered Accountant and annual Statement of accounts along with Audit report and its compliance shall be annually submitted to the State Government through the Director of Collegiate Education.

9. Suspension or Dissolution of the University-1) On receipt of the reply from University to the Show Cause Notice referred to in proviso of sub-section (4) of section 58 of the Act, if the Government is satisfied that there is a prima-facie case of contravention of all or any of the provisions of the Act or the Rules, Statutes and Ordinances made there under or of contravention of the directions issued by it under the Act or of financial mismanagement or mal administration or indiscipline, it shall make an order of such enquiry, as it may consider necessary.

(2) The Government shall, for the purpose any inquiry under sub-section(1) institute a Commission of inquiry headed by retired Supreme Court or High Court Judge to enquire into any of the allegations and to make report thereon.

(3) On receipt of the enquiry report from the officer appointed under sub-section (2), if the Government is satisfied that the University has contravened all or any of the provisions of this Act or the rules, statutes, or ordinances made thereunder or has violated any of the directions issued by it under this Act or has ceased to carry out the powers and functions by it as laid down in section 8 of this Act, or, a situation of financial mis-management and mal-administration has arisen in the University which threatens the academic standard of the University, it shall issue a preliminary order for the liquidation of the University and appoint an administrator.

(4) The administrator appointed under sub-section (3), shall have all the powers and be subject to all the duties of the Governing Body and the Board of Management under the Act and shall administer the affairs of the University until the last batch of the students of the regular courses have completed their courses and they have been awarded degrees, diplomas or awards, as the case may be.

(5) After having corrected the mis-management or awarded the degrees, diplomas or awards, as the case may be, to the last batches of students of the regular courses, the administrator shall make a report to the Government.

(6) On receipt of the report under sub-section (5), the Government shall, by notification in the official Gazette, issue a final order dissolving the University and from the date of publication of such notification, the University shall stand dissolved

and all the assets and liabilities of the University shall vest in the Sponsoring Body from such date.

(7) It shall be competent for the Government to take action as per the provisions of the Act on such dissolution and run the university in the public interest and in the interest of the students till the students are provided all facilities to complete their courses and get their degrees or diplomas.

By Order and in the name of
Governor of Karnataka

(MAHESH R)
Under Secretary to Government
Higher Education Department (Universities-2)

PR-79

DEPARTMENT OF HIGHER EDUCATION, GOVERNMENT OF KARNATAKA NOTIFICATION

No. ED 105 URC 2019, Dated: 01-01-2020

In exercise of the powers conferred by sub-section (1) of section 61 of the SHRI DHARMASTHALA MANJUNATHESHWARA UNIVERSITY Act-2018 (Karnataka Act No.19 of 2018), the Government of Karnataka hereby makes the following rules, namely:-

1. Title and commencement- (1) These rules may be called the SHRI DHARMASTHALA MANJUNATHESHWARA UNIVERSITY Rules, 2019.

(2) They shall come into force with effect from the date of their publication in the official Gazette.

2. Definitions.- In this Rules, unless the context otherwise requires-

(a) “Act” means the SHRI DHARMASTHALA MANJUNATHESHWARA UNIVERSITY Act, 2018 (Karnataka Act No.19 of 2018);

(b) “Section” means section of the Act;

(c) “Council” means the Karnataka State Higher Education Council;

(2) The words and expressions used these rules but not defined shall have the same meanings as assigned to them in that Act.

3. Salary and Allowances and Conditions of Service of Officers and employees of the University- (1) The salary and allowances payable to the teaching faculty shall be on par with the U.G.C Pay scales.

(2) The salary and allowances of other employees shall be on par with the other State Government Employees of equivalent rank.

(3) The method of recruitment of teaching staff shall be in accordance with the U.G.C regulations issued from time to time in respect of non-teaching staff shall be in accordance with merit and with recruitment policy of State Government as the case may be.

4. Institution of New Courses in the University-(1) The University shall send a proposal along with the approval of the Sponsoring Body and the Board of Governors to the Council well before the commencement of the each academic year for starting of new courses as per the course specification of U.G.C, A.I.C.T.E and other National Accreditation Bodies as the case may be.

Provided that Sponsoring Body and the Board of Governors before approving the proposal of institution of new courses, shall ensure requisite additional facilities having been created and requisite staff having been appointed as per the norms and standards of concerns Regulatory Authorities.

(2) On receipt of the application under sub-rule (1), the Council shall direct an inspection to be made by expert committee.

Provided the expert committee constituted by the Council shall consist of atleast one former Vice-Chancellor of State Public University.

(3) The Executive Director, the Council shall submit the application and its transcripts and the report of the expert committee to the State Government for taking a decision thereon.

(4) The State Government shall consider such applications in the light of recommendation of the expert committee and after such enquiry as may appear to it to be essential, shall permit the University to start new courses or reject the proposal as the case may be, including the variation in the intake.

(5) Any application made under sub-rule (1) may be withdrawn by the University at any time before a permission or rejection is made under sub- rule (4).

5. Closure of existing Courses in the University-(1) The University if intends to close down the existing course in view of its in capacity or financial viability or dearth of admissions shall submit application to the State Government in writing of not less than 3 months prior to intended closure of the course, stating the reasons therefor;

(2) The State Government on consideration of the same shall issue directions either to permit the closure or to reject the closure to the University.

(3) The University shall not close the courses during the currency of the academic year and until the last batch of students in the course complete their course of studies and annual examinations conducted by it in respect of course of study or over.

6. Enhancement and reduction of the Courses.-

The provisions of rule (4) shall mutatis mutandis apply for enhancement or reduction in intake of the courses in the University.

7. Powers of State Government to inspect and issue Directions- 1) For the purpose of ascertaining the standards of teaching, examination and research or any other matter relating to the University, the Government may, after consultation with Vice-Chancellor, cause an assessment to be made by the Expert Committee constituted by the Government consisting of 3 eminent Educationist, one of them shall be Former Vice-Chancellor of State Public University.

(2) On receipt of the report from the Expert Committee, the Government shall communicate its recommendations in regard to result of assessment for corrective action and the University shall take the corrective measures as are necessary so as to ensure the compliance of the recommendations. If the University fails to comply with the recommendations made under sub-section(2), within a reasonable time the Government may give such directions as it may deem fit which shall be binding on the University.

8. Permanent Statutory Endowment Fund:- (1) The Permanent Statutory endowment fund shall be pledged in the name of Director, Collegiate Education, Karnataka, who shall also be the custodian for all documents and instruments related to the permanent statutory endowment fund and its investment in a Nationalized Bank in accordance with the provisions of the Act.

(2) In case the University or the sponsoring body contravenes any of the provisions of the Act, Statutes, Ordinance, regulations or rules made there under, a part or whole of the endowment fund may be forfeited by the Government but before such Forfeiture, a show cause notice shall be served by the Government on the sponsoring body or the University, as the case may be;

(3) the Government shall, among other things, duly consider the reply submitted by the sponsoring body or the University.

(4) In case the reply to show cause notice issued under sub-rule (2) is not submitted by the sponsoring body or the University within 45 days of the notice, the government may decide the case without waiting for such reply.

(5) the forfeited amount of permanent endowment fund shall vest in the government and it shall be used in the manner to be specified by the Government at the time of forfeiture.

(6) All other funds called General Fund under section 49 and Development Fund under section 50 shall be maintained in double entry Book keeping method, and shall be kept in a nationalized or Scheduled Bank.

(7) Permanent statutory Fund, General Fund and Development Fund shall be audited by the Chartered Accountant and annual Statement of accounts along with Audit report and its compliance shall be annually submitted to the State Government through the Director of Collegiate Education.

9. Suspension or Dissolution of the University-1) On receipt of the reply from University to the Show Cause Notice referred to in proviso of sub-section (4) of section 58 of the Act, if the Government is satisfied that there is a prima-facie case of contravention of all or any of the provisions of the Act or the Rules, Statutes and Ordinances made there under or of contravention of the directions issued by it under the Act or of financial mismanagement or mal administration or indiscipline, it shall make an order of such enquiry, as it may consider necessary.

(2) The Government shall, for the purpose any inquiry under sub-section(1) institute a Commission of inquiry headed by retired Supreme Court or High Court Judge to enquire into any of the allegations and to make report thereon.

(3) On receipt of the enquiry report from the officer appointed under sub-section (2), if the Government is satisfied that the University has contravened all or any of the provisions of this Act or the rules, statutes, or ordinances made thereunder or has violated any of the directions issued by it under this Act or has ceased to carry out the powers and functions by it as laid down in section 8 of this Act, or, a situation of financial mis-management and mal-administration has arisen in the University which threatens the academic standard of the University, it shall issue a preliminary order for the liquidation of the University and appoint an administrator.

(4) The administrator appointed under sub-section (3), shall have all the powers and be subject to all the duties of the Governing Body and the Board of Management under the Act and shall administer the affairs of the University until the last batch of the students of the regular courses have completed their courses and they have been awarded degrees, diplomas or awards, as the case may be.

(5) After having corrected the mis-management or awarded the degrees, diplomas or awards, as the case may be, to the last batches of students of the regular courses, the administrator shall make a report to the Government.

(6) On receipt of the report under sub-section (5), the Government shall, by notification in the official Gazette, issue a final order dissolving the University and from the date of publication of such notification, the University shall stand dissolved and all the assets and liabilities of the University shall vest in the Sponsoring Body from such date.

(7) It shall be competent for the Government to take action as per the provisions of the Act on such dissolution and run the university in the public interest and in the interest of the students till the students are provided all facilities to complete their courses and get their degrees or diplomas.

By Order and in the name of
Governor of Karnataka

(MAHESH R)
Under Secretary to Government
Higher Education Department (Universities-2)

PR-80

DEPARTMENT OF HIGHER EDUCATION, GOVERNMENT OF KARNATAKA NOTIFICATION

No. ED 77 URC 2019, Dated: 18-12-2019

In exercise of the powers conferred by sub-section (1) of section 57 of the Azeem Premji University Act-2010 (Karnataka Act No.14 of 2010), the Government of Karnataka hereby makes the following rules, namely:-

1. Title and commencement- (1) These rules may be called the Azeem Premji University Rules, 2019.

(2) They shall come into force with effect from the date of their publication in the official Gazette.

2. Definitions.- In this Rules, unless the context otherwise requires-

(a) "Act" means the Azeem Premji University Act, 2010 (Karnataka Act No.14 of 2010);

(b) "Section" means section of the Act;

(c) "Council" means the Karnataka State Higher Education Council;

(2) The words and expressions used these rules but not defined shall have the same meanings as assigned to them in that Act.

3. Salary and Allowances and Conditions of Service of Officers and employees of the University- (1) The salary and allowances payable to the teaching faculty shall be on par with the U.G.C Pay scales.

(2) The salary and allowances of other employees shall be on par with the other State Government Employees of equivalent rank.

(3) The method of recruitment of teaching staff shall be in accordance with the U.G.C regulations issued from time to time in respect of non-teaching staff shall be in accordance with merit and with recruitment policy of State Government as the case may be.

4. Institution of New Courses in the University-(1) The University shall send a proposal along with the approval of the Sponsoring Body and the Board of Governors to the Council well before the commencement of the each academic year for starting of new courses as per the course specification of U.G.C, A.I.C.T.E and other National Accreditation Bodies as the case may be.

Provided that Sponsoring Body and the Board of Governors before approving the proposal of institution of new courses, shall ensure requisite additional facilities having been created and requisite staff having been appointed as per the norms and standards of concerns Regulatory Authorities.

(2) On receipt of the application under sub-rule (1), the Council shall direct an inspection to be made by expert committee.

Provided the expert committee constituted by the Council shall consist of atleast one former Vice-Chancellor of State Public University.

(3) The Executive Director, the Council shall submit the application and its transcripts and the report of the expert committee to the State Government for taking a decision thereon.

(4) The State Government shall consider such applications in the light of recommendation of the expert committee and after such enquiry as may appear to it to be essential, shall permit the University to start new courses or reject the proposal as the case may be, including the variation in the intake.

(5) Any application made under sub-rule (1) may be withdrawn by the University at any time before a permission or rejection is made under sub- rule (4).

5. Closure of existing Courses in the University-(1) The University if intends to close down the existing course in view of its in capacity or financial viability or dearth of admissions shall submit application to the State Government in writing of not less than 3 months prior to intended closure of the course, stating the reasons therefor;

(2) The State Government on consideration of the same shall issue directions either to permit the closure or to reject the closure to the University.

(3) The University shall not close the courses during the currency of the academic year and until the last batch of students in the course complete their course of studies and annual examinations conducted by it in respect of course of study or over.

6. Enhancement and reduction of the Courses.-

The provisions of rule (4) shall mutatis mutandis apply for enhancement or reduction in intake of the courses in the University.

7. Powers of State Government to inspect and issue Directions- 1) For the purpose of ascertaining the standards of teaching, examination and research or any other matter relating to the University, the Government may, after consultation with Vice-Chancellor, cause an assessment to be made by the Expert Committee constituted by the Government consisting of 3 eminent Educationist, one of them shall be Former Vice-Chancellor of State Public University.

(2) On receipt of the report from the Expert Committee, the Government shall communicate its recommendations in regard to result of assessment for corrective action and the University shall take the corrective measures as are necessary so as to ensure the compliance of the recommendations. If the University fails to comply with the recommendations made under sub-section(2), within a reasonable time the Government may give such directions as it may deem fit which shall be binding on the University.

8. Permanent Statutory Endowment Fund:- (1) The Permanent Statutory endowment fund shall be pledged in the name of Director, Collegiate Education, Karnataka, who shall also be the custodian for all documents and instruments related to the permanent statutory endowment fund and its investment in a Nationalized Bank in accordance with the provisions of the Act.

(2) In case the University or the sponsoring body contravenes any of the provisions of the Act, Statutes, Ordinance, regulations or rules made there under, a part or whole of the endowment fund may be forfeited by the Government but before such Forfeiture, a show cause notice shall be served by the Government on the sponsoring body or the University, as the case may be;

(3) the Government shall, among other things, duly consider the reply submitted by the sponsoring body or the University.

(4) In case the reply to show cause notice issued under sub-rule (2) is not submitted by the sponsoring body or the University within 45 days of the notice, the government may decide the case without waiting for such reply.

(5) the forfeited amount of permanent endowment fund shall vest in the government and it shall be used in the manner to be specified by the Government at the time of forfeiture.

(6) All other funds called General Fund under section 48 and Development Fund under section 49 shall be maintained in double entry Book keeping method, and shall be kept in a nationalized or Scheduled Bank.

(7) Permanent statutory Fund, General Fund and Development Fund shall be audited by the Chartered Accountant and annual Statement of accounts along with Audit report and its compliance shall be annually submitted to the State Government through the Director of Collegiate Education.

9. Suspension or Dissolution of the University-1) On receipt of the reply from University to the Show Cause Notice referred to in proviso of sub-section (3) of section 54 of the Act, if the Government is satisfied that there is a prima-facie case of contravention of all or any of the provisions of the Act or the Rules, Statutes and Ordinances made there under or of contravention of the directions issued by it under the Act or of financial mismanagement or mal administration or indiscipline, it shall make an order of such enquiry, as it may consider necessary.

(2) The Government shall, for the purpose any inquiry under sub-section(1) institute a Commission of inquiry headed by retired Supreme Court or High Court Judge to enquire into any of the allegations and to make report thereon.

(3) On receipt of the enquiry report from the officer appointed under sub-section (2), if the Government is satisfied that the University has contravened all or any of the provisions of this Act or the rules, statutes, or ordinances made thereunder or has violated any of the directions issued by it under this Act or has ceased to carry out the powers and functions by it as laid down in section 8 of this Act, or, a situation of financial mis-management and mal-administration has arisen in the University which threatens the academic standard of the University, it shall issue a preliminary order for the liquidation of the University and appoint an administrator.

(4) The administrator appointed under sub-section (3), shall have all the powers and be subject to all the duties of the Governing Body and the Board of Management under the Act and shall administer the affairs of the University until the last batch of the students of the regular courses have completed their courses and they have been awarded degrees, diplomas or awards, as the case may be.

(5) After having corrected the mis-management or awarded the degrees, diplomas or awards, as the case may be, to the last batches of students of the regular courses, the administrator shall make a report to the Government.

(6) On receipt of the report under sub-section (5), the Government shall, by notification in the official Gazette, issue a final order dissolving the University and from the date of publication of such notification, the University shall stand dissolved and all the assets and liabilities of the University shall vest in the Sponsoring Body from such date.

(7) It shall be competent for the Government to take action as per the provisions of the Act on such dissolution and run the university in the public interest and in the interest of the students till the students are provided all facilities to complete their courses and get their degrees or diplomas.

By Order and in the name of
Governor of Karnataka

(MAHESH R)
Under Secretary to Government
Higher Education Department (Universities-2)

PR-81

DEPARTMENT OF HIGHER EDUCATION, GOVERNMENT OF KARNATAKA

NOTIFICATION

No. ED 75 URC 2019, Dated: 30-10-2019

In exercise of the powers conferred by sub-section (1) of section 58 of the Alliance University Act-2010 (Karnataka Act No.34 of 2010), the Government of Karnataka hereby makes the following rules, namely:-

RULES

1. Title and commencement- (1) These rules may be called the Alliance University Rules, 2019.

(2) They shall come into force with effect from the date of their publication in the official Gazette.

2. Definitions.- In this Rules, unless the context otherwise requires-

(a) "Act" means the Alliance University Act, 2010 (Karnataka Act No.34 of 2010);

(b) "Section" means section of the Act;

(c) "Council" means the Karnataka Higher Education Council;

(2) The words and expressions used these rules but not defined shall have the same meanings as assigned to them in that Act.

3. Salary and Allowances and Conditions of Service of Officers and employees of the University- (1) The salary and allowances payable to the teaching faculty shall be on par with the U.G.C Pay scales.

(2) The salary and allowances of other employees shall be on par with the other State Government Employees of equivalent rank.

(3) The method of recruitment of teaching staff shall be in accordance with the U.G.C regulations issued from time to time in respect of non-teaching staff shall be in

accordance with merit and with recruitment policy of State Government as the case may be.

4. Institution of New Courses in the University-(1) The University shall send a proposal along with the approval of the Sponsoring Body and the Board of Governors to the Council well before the commencement of the each academic year for starting of new courses as per the course specification of U.G.C, A.I.C.T.E and other National Accreditation Bodies as the case may be.

Provided that Sponsoring Body and the Board of Governors before approving the proposal of institution of new courses, shall ensure requisite additional facilities having been created and requisite staff having been appointed as per the norms and standards of concerns Regulatory Authorities.

(2) On receipt of the application under sub rule (1), the Council shall direct an inspection to be made by expert committee.

Provided the expert committee constituted by the Council shall consist of atleast one former Vice-Chancellor of State Public University.

(3) The Executive Director, the Council shall submit the application and its transcripts and the report of the expert committee to the State Government for taking a decision thereon.

(4) The State Government shall consider such applications in the light of recommendation of the expert committee and after such enquiry as may appear to it to be essential, shall permit the University to start new courses or reject the proposal as the case may be, including the variation in the intake.

(5) Any application made under sub- rule (1) may be withdrawn by the University at any time before a permission or rejection is made under sub- rule (4).

5. Closure of existing Courses in the University-(1) The University if intends to close down the existing course in view of its in capacity or financial viability or dearth of admissions shall submit application to the State Government in writing of not less than 3 months prior to intended closure of the course, stating the reasons therefor;

(2) The State Government on consideration of the same shall issue directions either to permit the closure or to reject the closure to the University.

(3) The University shall not close the courses during the currency of the academic year and until the last batch of students in the course complete their course of studies and annual examinations conducted by it in respect of course of study or over.

6. Enhancement and reduction of the Courses.-

The provisions of rule (4) shall mutatis mutandis apply for enhancement or reduction in intake of the courses in the University.

7. Powers of State Government to inspect and issue Directions- 1) For the purpose of ascertaining the standards of teaching, examination and research or any other matter relating to the University, the Government may, after consultation with Vice-Chancellor, cause an assessment to be made by the Expert Committee constituted by the Government consisting of 3 eminent Educationist, one of them shall be Former Vice-Chancellor of State Public University.

(2) On receipt of the report from the Expert Committee, the Government shall communicate its recommendations in regard to result of assessment for corrective action and the University shall take the corrective measures as are necessary so as to ensure the compliance of the recommendations. If the University fails to comply with the recommendations made under sub-section(2), within a reasonable time the Government may give such directions as it may deem fit which shall be binding on the University.

8. Permanent Statutory Endowment Fund:- (1) The Permanent Statutory endowment fund shall be pledged in the name of Director, Collegiate Education, Karnataka, who shall also be the custodian for all documents and instruments related to the permanent statutory endowment fund and its investment in a Nationalized Bank in accordance with the provisions of the Act.

(2) In case the University or the sponsoring body contravenes any of the provisions of the Act, Statutes, Ordinance, regulations or rules made there under, a part or whole of the endowment fund may be forfeited by the Government but before such Forfeiture, a show cause notice shall be served by the Government on the sponsoring body or the University, as the case may be;

(3) the Government shall, among other things, duly consider the reply submitted by the sponsoring body or the University.

(4) In case the reply to show cause notice issued under sub-rule (2) is not submitted by the sponsoring body or the University within 45 days of the notice, the government may decide the case without waiting for such reply.

(5) the forfeited amount of permanent endowment fund shall vest in the government and it shall be used in the manner to be specified by the Government at the time of forfeiture.

(6) All other funds called General Fund under section 49 and Development Fund under section 50 shall be maintained in double entry Book keeping method, and shall be kept in a nationalized or Scheduled Bank.

(7) Permanent statutory Fund, General Fund and Development Fund shall be audited by the Chartered Accountant and annual Statement of accounts along with Audit report and its compliance shall be annually submitted to the State Government through the Director of Collegiate Education.

9. Suspension or Dissolution of the University-1) On receipt of the reply from University to the Show Cause Notice referred to in proviso of sub-section (3) of section 55 of the Act, if the Government is satisfied that there is a prima-facie case of contravention of all or any of the provisions of the Act or the Rules, Statutes and Ordinances made there under or of contravention of the directions issued by it under the Act or of financial mismanagement or mal administration or indiscipline, it shall make an order of such enquiry, as it may consider necessary.

(2) The Government shall, for the purpose any inquiry under sub-section(1) institute a Commission of inquiry headed by retired Supreme Court or High Court Judge to enquire into any of the allegations and to make report thereon.

(3) On receipt of the enquiry report from the officer appointed under sub-section (2), if the Government is satisfied that the University has contravened all or any of the provisions of this Act or the rules, statutes, or ordinances made thereunder or has violated any of the directions issued by it under this Act or has ceased to carry out the powers and functions by it as laid down in section 8 of this Act, or, a situation of financial mis-management and mal-administration has arisen in the University which threatens the academic standard of thee University, it shall issue a preliminary order for the liquidation of the University and appoint an administrator.

(4) The administrator appointed under sub-section (3), shall have all the powers and be subject to all the duties of the Governing Body and the Board of Management under the Act and shall administer the affairs of the University until the last batch of the students of the regular courses have completed their courses and they have been awarded degrees, diplomas or awards, as the case may be.

(5) After having corrected the mis-management or awarded the degrees, diplomas or awards, as the case may be, to the last batches of students of the regular courses, the administrator shall make a report to the Government.

(6) On receipt of the report under sub-section (5), the Government shall, by notification in the official Gazette, issue a final order dissolving the University and from the date of publication of such notification, the University shall stand dissolved and all the assets and liabilities of the University shall vest in the Sponsoring Body from such date.

(7) It shall be competent for the Government to take action as per the provisions of the Act on such dissolution and run the university in the public interest and in the

interest of the students till the students are provided all facilities to complete their courses and get their degrees or diplomas.

By Order and in the name of
Governor of Karnataka

(MAHESH R),
Under Secretary to Government
Higher Education Department (Universities-2)

PR-82

DEPARTMENT OF HIGHER EDUCATION, GOVERNMENT OF KARNATAKA

NOTIFICATION

No. ED 82 URC 2019, Dated: 18-12-2019

In exercise of the powers conferred by sub-section (1) of section 61 of the Garden City University Act-2013 (Karnataka Act No.47 of 2013), the Government of Karnataka hereby makes the following rules, namely:-

1. Title and commencement- (1) These rules may be called the Garden City University Rules, 2019.

(2) They shall come into force with effect from the date of their publication in the official Gazette.

2. Definitions.- In this Rules, unless the context otherwise requires-

(a) "Act" means the Garden City University Act, 2013 (Karnataka Act No.47 of 2013);

(b) "Section" means section of the Act;

(c) "Council" means the Karnataka State Higher Education Council;

(2) The words and expressions used these rules but not defined shall have the same meanings as assigned to them in that Act.

3. Salary and Allowances and Conditions of Service of Officers and employees of the University- (1) The salary and allowances payable to the teaching faculty shall be on par with the U.G.C Pay scales.

(2) The salary and allowances of other employees shall be on par with the other State Government Employees of equivalent rank.

(3) The method of recruitment of teaching staff shall be in accordance with the U.G.C regulations issued from time to time in respect of non-teaching staff shall be in

accordance with merit and with recruitment policy of State Government as the case may be.

4. Institution of New Courses in the University-(1) The University shall send a proposal along with the approval of the Sponsoring Body and the Board of Governors to the Council well before the commencement of the each academic year for starting of new courses as per the course specification of U.G.C, A.I.C.T.E and other National Accreditation Bodies as the case may be.

Provided that Sponsoring Body and the Board of Governors before approving the proposal of institution of new courses, shall ensure requisite additional facilities having been created and requisite staff having been appointed as per the norms and standards of concerns Regulatory Authorities.

(2) On receipt of the application under sub-rule (1), the Council shall direct an inspection to be made by expert committee.

Provided the expert committee constituted by the Council shall consist of atleast one former Vice-Chancellor of State Public University.

(3) The Executive Director, the Council shall submit the application and its transcripts and the report of the expert committee to the State Government for taking a decision thereon.

(4) The State Government shall consider such applications in the light of recommendation of the expert committee and after such enquiry as may appear to it to be essential, shall permit the University to start new courses or reject the proposal as the case may be, including the variation in the intake.

(5) Any application made under sub-rule (1) may be withdrawn by the University at any time before a permission or rejection is made under sub- rule (4).

5. Closure of existing Courses in the University-(1) The University if intends to close down the existing course in view of its in capacity or financial viability or dearth of admissions shall submit application to the State Government in writing of not less than 3 months prior to intended closure of the course, stating the reasons therefor;

(2) The State Government on consideration of the same shall issue directions either to permit the closure or to reject the closure to the University.

(3) The University shall not close the courses during the currency of the academic year and until the last batch of students in the course complete their course of studies and annual examinations conducted by it in respect of course of study or over.

6. Enhancement and reduction of the Courses.-

The provisions of rule (4) shall mutatis mutandis apply for enhancement or reduction in intake of the courses in the University.

7. Powers of State Government to inspect and issue Directions- 1) For the purpose of ascertaining the standards of teaching, examination and research or any other matter relating to the University, the Government may, after consultation with Vice-Chancellor, cause an assessment to be made by the Expert Committee constituted by the Government consisting of 3 eminent Educationist, one of them shall be Former Vice-Chancellor of State Public University.

(2) On receipt of the report from the Expert Committee, the Government shall communicate its recommendations in regard to result of assessment for corrective action and the University shall take the corrective measures as are necessary so as to ensure the compliance of the recommendations. If the University fails to comply with the recommendations made under sub-section(2), within a reasonable time the Government may give such directions as it may deem fit which shall be binding on the University.

8. Permanent Statutory Endowment Fund:- (1) The Permanent Statutory endowment fund shall be pledged in the name of Director, Collegiate Education, Karnataka, who shall also be the custodian for all documents and instruments related to the permanent statutory endowment fund and its investment in a Nationalized Bank in accordance with the provisions of the Act.

(2) In case the University or the sponsoring body contravenes any of the provisions of the Act, Statutes, Ordinance, regulations or rules made there under, a part or whole of the endowment fund may be forfeited by the Government but before such Forfeiture, a show cause notice shall be served by the Government on the sponsoring body or the University, as the case may be;

(3) the Government shall, among other things, duly consider the reply submitted by the sponsoring body or the University.

(4) In case the reply to show cause notice issued under sub-rule (2) is not submitted by the sponsoring body or the University within 45 days of the notice, the government may decide the case without waiting for such reply.

(5) the forfeited amount of permanent endowment fund shall vest in the government and it shall be used in the manner to be specified by the Government at the time of forfeiture.

(6) All other funds called General Fund under section 49 and Development Fund under section 50 shall be maintained in double entry Book keeping method, and shall be kept in a nationalized or Scheduled Bank.

(7) Permanent statutory Fund, General Fund and Development Fund shall be audited by the Chartered Accountant and annual Statement of accounts along with Audit report and its compliance shall be annually submitted to the State Government through the Director of Collegiate Education.

9. Suspension or Dissolution of the University-1) On receipt of the reply from University to the Show Cause Notice referred to in proviso of sub-section (4) of section 58 of the Act, if the Government is satisfied that there is a prima-facie case of contravention of all or any of the provisions of the Act or the Rules, Statutes and Ordinances made there under or of contravention of the directions issued by it under the Act or of financial mismanagement or mal administration or indiscipline, it shall make an order of such enquiry, as it may consider necessary.

(2) The Government shall, for the purpose any inquiry under sub-section(1) institute a Commission of inquiry headed by retired Supreme Court or High Court Judge to enquire into any of the allegations and to make report thereon.

(3) On receipt of the enquiry report from the officer appointed under sub-section (2), if the Government is satisfied that the University has contravened all or any of the provisions of this Act or the rules, statutes, or ordinances made thereunder or has violated any of the directions issued by it under this Act or has ceased to carry out the powers and functions by it as laid down in section 8 of this Act, or, a situation of financial mis-management and mal-administration has arisen in the University which threatens the academic standard of thee University, it shall issue a preliminary order for the liquidation of the University and appoint an administrator.

(4) The administrator appointed under sub-section (3), shall have all the powers and be subject to all the duties of the Governing Body and the Board of Management under the Act and shall administer the affairs of the University until the last batch of the students of the regular courses have completed their courses and they have been awarded degrees, diplomas or awards, as the case may be.

(5) After having corrected the mis-management or awarded the degrees, diplomas or awards, as the case may be, to the last batches of students of the regular courses, the administrator shall make a report to the Government.

(6) On receipt of the report under sub-section (5), the Government shall, by notification in the official Gazette, issue a final order dissolving the University and from the date of publication of such notification, the University shall stand dissolved and all the assets and liabilities of the University shall vest in the Sponsoring Body from such date.

(7) It shall be competent for the Government to take action as per the provisions of the Act on such dissolution and run the university in the public interest and in the interest of the students till the students are provided all facilities to complete their courses and get their degrees or diplomas.

By Order and in the name of
Governor of Karnataka

(MAHESH R)

Under Secretary to Government
Higher Education Department (Universities-2)

PR-83

DEPARTMENT OF HIGHER EDUCATION, GOVERNMENT OF KARNATAKA NOTIFICATION

No. ED 80 URC 2019, Dated: 18-12-2019

In exercise of the powers conferred by sub-section (1) of section 61 of the Jagath University Act-2018 (Karnataka Act No.20 of 2018), the Government of Karnataka hereby makes the following rules, namely:-

1. Title and commencement- (1) These rules may be called the Jagath University Rules, 2019.

(2) They shall come into force with effect from the date of their publication in the official Gazette.

2. Definitions.- In this Rules, unless the context otherwise requires-

(a) "Act" means the Jagath University Act, 2018 (Karnataka Act No.20 of 2018);

(b) "Section" means section of the Act;

(c) "Council" means the Karnataka State Higher Education Council;

(2) The words and expressions used these rules but not defined shall have the same meanings as assigned to them in that Act.

3. Salary and Allowances and Conditions of Service of Officers and employees of the University- (1) The salary and allowances payable to the teaching faculty shall be on par with the U.G.C Pay scales.

(2) The salary and allowances of other employees shall be on par with the other State Government Employees of equivalent rank.

(3) The method of recruitment of teaching staff shall be in accordance with the U.G.C regulations issued from time to time in respect of non-teaching staff shall be in

accordance with merit and with recruitment policy of State Government as the case may be.

4. Institution of New Courses in the University-(1) The University shall send a proposal along with the approval of the Sponsoring Body and the Board of Governors to the Council well before the commencement of the each academic year for starting of new courses as per the course specification of U.G.C, A.I.C.T.E and other National Accreditation Bodies as the case may be.

Provided that Sponsoring Body and the Board of Governors before approving the proposal of institution of new courses, shall ensure requisite additional facilities having been created and requisite staff having been appointed as per the norms and standards of concerns Regulatory Authorities.

(2) On receipt of the application under sub-rules (1), the Council shall direct an inspection to be made by expert committee.

Provided the expert committee constituted by the Council shall consist of atleast one former Vice-Chancellor of State Public University.

(3) The Executive Director, the Council shall submit the application and its transcripts and the report of the expert committee to the State Government for taking a decision thereon.

(4) The State Government shall consider such applications in the light of recommendation of the expert committee and after such enquiry as may appear to it to be essential, shall permit the University to start new courses or reject the proposal as the case may be, including the variation in the intake.

(5) Any application made under sub-rules (1) may be withdrawn by the University at any time before a permission or rejection is made under sub- rule (4).

5. Closure of existing Courses in the University-(1) The University if intends to close down the existing course in view of its in capacity or financial viability or dearth of admissions shall submit application to the State Government in writing of not less than 3 months prior to intended closure of the course, stating the reasons therefor;

(2) The State Government on consideration of the same shall issue directions either to permit the closure or to reject the closure to the University.

(3) The University shall not close the courses during the currency of the academic year and until the last batch of students in the course complete their course of studies and annual examinations conducted by it in respect of course of study or over.

6. Enhancement and reduction of the Courses.-

The provisions of rule (4) shall mutatis mutandis apply for enhancement or reduction in intake of the courses in the University.

7. Powers of State Government to inspect and issue Directions- 1) For the purpose of ascertaining the standards of teaching, examination and research or any other matter relating to the University, the Government may, after consultation with Vice-Chancellor, cause an assessment to be made by the Expert Committee constituted by the Government consisting of 3 eminent Educationist, one of them shall be Former Vice-Chancellor of State Public University.

(2) On receipt of the report from the Expert Committee, the Government shall communicate its recommendations in regard to result of assessment for corrective action and the University shall take the corrective measures as are necessary so as to ensure the compliance of the recommendations. If the University fails to comply with the recommendations made under sub-section(2), within a reasonable time the Government may give such directions as it may deem fit which shall be binding on the University.

8. Permanent Statutory Endowment Fund:- (1) The Permanent Statutory endowment fund shall be pledged in the name of Director, Collegiate Education, Karnataka, who shall also be the custodian for all documents and instruments related to the permanent statutory endowment fund and its investment in a Nationalized Bank in accordance with the provisions of the Act.

(2) In case the University or the sponsoring body contravenes any of the provisions of the Act, Statutes, Ordinance, regulations or rules made there under, a part or whole of the endowment fund may be forfeited by the Government but before such Forfeiture, a show cause notice shall be served by the Government on the sponsoring body or the University, as the case may be;

(3) the Government shall, among other things, duly consider the reply submitted by the sponsoring body or the University.

(4) In case the reply to show cause notice issued under sub-rule (2) is not submitted by the sponsoring body or the University within 45 days of the notice, the government may decide the case without waiting for such reply.

(5) the forfeited amount of permanent endowment fund shall vest in the government and it shall be used in the manner to be specified by the Government at the time of forfeiture.

(6) All other funds called General Fund under section 49 and Development Fund under section 50 shall be maintained in double entry Book keeping method, and shall be kept in a nationalized or Scheduled Bank.

(7) Permanent statutory Fund, General Fund and Development Fund shall be audited by the Chartered Accountant and annual Statement of accounts along with Audit report and its compliance shall be annually submitted to the State Government through the Director of Collegiate Education.

9. Suspension or Dissolution of the University-1) On receipt of the reply from University to the Show Cause Notice referred to in proviso of sub-section (4) of section 58 of the Act, if the Government is satisfied that there is a prima-facie case of contravention of all or any of the provisions of the Act or the Rules, Statutes and Ordinances made there under or of contravention of the directions issued by it under the Act or of financial mismanagement or mal administration or indiscipline, it shall make an order of such enquiry, as it may consider necessary.

(2) The Government shall, for the purpose any inquiry under sub-section(1) institute a Commission of inquiry headed by retired Supreme Court or High Court Judge to enquire into any of the allegations and to make report thereon.

(3) On receipt of the enquiry report from the officer appointed under sub-section (2), if the Government is satisfied that the University has contravened all or any of the provisions of this Act or the rules, statutes, or ordinances made thereunder or has violated any of the directions issued by it under this Act or has ceased to carry out the powers and functions by it as laid down in section 8 of this Act, or, a situation of financial mis-management and mal-administration has arisen in the University which threatens the academic standard of the University, it shall issue a preliminary order for the liquidation of the University and appoint an administrator.

(4) The administrator appointed under sub-section (3), shall have all the powers and be subject to all the duties of the Governing Body and the Board of Management under the Act and shall administer the affairs of the University until the last batch of the students of the regular courses have completed their courses and they have been awarded degrees, diplomas or awards, as the case may be.

(5) After having corrected the mis-management or awarded the degrees, diplomas or awards, as the case may be, to the last batches of students of the regular courses, the administrator shall make a report to the Government.

(6) On receipt of the report under sub-section (5), the Government shall, by notification in the official Gazette, issue a final order dissolving the University and from the date of publication of such notification, the University shall stand dissolved and all the assets and liabilities of the University shall vest in the Sponsoring Body from such date.

(7) It shall be competent for the Government to take action as per the provisions of the Act on such dissolution and run the university in the public interest and in the interest of the students till the students are provided all facilities to complete their courses and get their degrees or diplomas.

By Order and in the name of
Governor of Karnataka

(MAHESH R)
Under Secretary to Government
Higher Education Department (Universities-2)

PR-84

DEPARTMENT OF HIGHER EDUCATION, GOVERNMENT OF KARNATAKA

NOTIFICATION

No. ED 101 URC 2019, Dated: 18-12-2019

In exercise of the powers conferred by sub-section (1) of section 61 of the Sharanabasava University Act-2012 (Karnataka Act No.17 of 2013), the Government of Karnataka hereby makes the following rules, namely:-

1. Title and commencement- (1) These rules may be called the Sharanabasava University Rules, 2019.

(2) They shall come into force with effect from the date of their publication in the official Gazette.

2. Definitions.- In this Rules, unless the context otherwise requires-

(a) “Act” means the Sharanabasava University Act, 2012 (Karnataka Act No.17 of 2013);

(b) “Section” means section of the Act;

(c) “Council” means the Karnataka State Higher Education Council;

(2) The words and expressions used these rules but not defined shall have the same meanings as assigned to them in that Act.

3. Salary and Allowances and Conditions of Service of Officers and employees of the University- (1) The salary and allowances payable to the teaching faculty shall be on par with the U.G.C Pay scales.

(2) The salary and allowances of other employees shall be on par with the other State Government Employees of equivalent rank.

(3) The method of recruitment of teaching staff shall be in accordance with the U.G.C regulations issued from time to time in respect of non-teaching staff shall be in accordance with merit and with recruitment policy of State Government as the case may be.

4. Institution of New Courses in the University-(1) The University shall send a proposal along with the approval of the Sponsoring Body and the Board of Governors to the Council well before the commencement of the each academic year for starting of new courses as per the course specification of U.G.C, A.I.C.T.E and other National Accreditation Bodies as the case may be.

Provided that Sponsoring Body and the Board of Governors before approving the proposal of institution of new courses, shall ensure requisite additional facilities having been created and requisite staff having been appointed as per the norms and standards of concerns Regulatory Authorities.

(2) On receipt of the application under sub-rule (1), the Council shall direct an inspection to be made by expert committee.

Provided the expert committee constituted by the Council shall consist of atleast one former Vice-Chancellor of State Public University.

(3) The Executive Director, the Council shall submit the application and its transcripts and the report of the expert committee to the State Government for taking a decision thereon.

(4) The State Government shall consider such applications in the light of recommendation of the expert committee and after such enquiry as may appear to it to be essential, shall permit the University to start new courses or reject the proposal as the case may be, including the variation in the intake.

(5) Any application made under sub-rule (1) may be withdrawn by the University at any time before a permission or rejection is made under sub- rule (4).

5. Closure of existing Courses in the University-(1) The University if intends to close down the existing course in view of its in capacity or financial viability or dearth of admissions shall submit application to the State Government in writing of not less than 3 months prior to intended closure of the course, stating the reasons therefor;

(2) The State Government on consideration of the same shall issue directions either to permit the closure or to reject the closure to the University.

(3) The University shall not close the courses during the currency of the academic year and until the last batch of students in the course complete their course of studies and annual examinations conducted by it in respect of course of study or over.

6. Enhancement and reduction of the Courses.-

The provisions of rule (4) shall mutatis mutandis apply for enhancement or reduction in intake of the courses in the University.

7. Powers of State Government to inspect and issue Directions- 1) For the purpose of ascertaining the standards of teaching, examination and research or any other matter relating to the University, the Government may, after consultation with Vice-Chancellor, cause an assessment to be made by the Expert Committee constituted by the Government consisting of 3 eminent Educationist, one of them shall be Former Vice-Chancellor of State Public University.

(2) On receipt of the report from the Expert Committee, the Government shall communicate its recommendations in regard to result of assessment for corrective action and the University shall take the corrective measures as are necessary so as to ensure the compliance of the recommendations. If the University fails to comply with the recommendations made under sub-section(2), within a reasonable time the Government may give such directions as it may deem fit which shall be binding on the University.

8. Permanent Statutory Endowment Fund:- (1) The Permanent Statutory endowment fund shall be pledged in the name of Director, Collegiate Education, Karnataka, who shall also be the custodian for all documents and instruments related to the permanent statutory endowment fund and its investment in a Nationalized Bank in accordance with the provisions of the Act.

(2) In case the University or the sponsoring body contravenes any of the provisions of the Act, Statutes, Ordinance, regulations or rules made there under, a part or whole of the endowment fund may be forfeited by the Government but before such Forfeiture, a show cause notice shall be served by the Government on the sponsoring body or the University, as the case may be;

(3) the Government shall, among other things, duly consider the reply submitted by the sponsoring body or the University.

(4) In case the reply to show cause notice issued under sub-rule (2) is not submitted by the sponsoring body or the University within 45 days of the notice, the government may decide the case without waiting for such reply.

(5) the forfeited amount of permanent endowment fund shall vest in the government and it shall be used in the manner to be specified by the Government at the time of forfeiture.

(6) All other funds called General Fund under section 49 and Development Fund under section 50 shall be maintained in double entry Book keeping method, and shall be kept in a nationalized or Scheduled Bank.

(7) Permanent statutory Fund, General Fund and Development Fund shall be audited by the Chartered Accountant and annual Statement of accounts along with Audit report and its compliance shall be annually submitted to the State Government through the Director of Collegiate Education.

9. Suspension or Dissolution of the University-1) On receipt of the reply from University to the Show Cause Notice referred to in proviso of sub-section (4) of section 58 of the Act, if the Government is satisfied that there is a prima-facie case of contravention of all or any of the provisions of the Act or the Rules, Statutes and Ordinances made there under or of contravention of the directions issued by it under the Act or of financial mismanagement or mal administration or indiscipline, it shall make an order of such enquiry, as it may consider necessary.

(2) The Government shall, for the purpose any inquiry under sub-section(1) institute a Commission of inquiry headed by retired Supreme Court or High Court Judge to enquire into any of the allegations and to make report thereon.

(3) On receipt of the enquiry report from the officer appointed under sub-section (2), if the Government is satisfied that the University has contravened all or any of the provisions of this Act or the rules, statutes, or ordinances made thereunder or has violated any of the directions issued by it under this Act or has ceased to carry out the powers and functions by it as laid down in section 8 of this Act, or, a situation of financial mis-management and mal-administration has arisen in the University which threatens the academic standard of thee University, it shall issue a preliminary order for the liquidation of the University and appoint an administrator.

(4) The administrator appointed under sub-section (3), shall have all the powers and be subject to all the duties of the Governing Body and the Board of Management under the Act and shall administer the affairs of the University until the last batch of the students of the regular courses have completed their courses and they have been awarded degrees, diplomas or awards, as the case may be.

(5) After having corrected the mis-management or awarded the degrees, diplomas or awards, as the case may be, to the last batches of students of the regular courses, the administrator shall make a report to the Government.

(6) On receipt of the report under sub-section (5), the Government shall, by notification in the official Gazette, issue a final order dissolving the University and from the date of publication of such notification, the University shall stand dissolved and all the assets and liabilities of the University shall vest in the Sponsoring Body from such date.

(7) It shall be competent for the Government to take action as per the provisions of the Act on such dissolution and run the university in the public interest and in the interest of the students till the students are provided all facilities to complete their courses and get their degrees or diplomas.

By Order and in the name of
Governor of Karnataka

(MAHESH R)

Under Secretary to Government
Higher Education Department (Universities-2)

PR-85

DEPARTMENT OF HIGHER EDUCATION, GOVERNMENT OF KARNATAKA

NOTIFICATION

No. ED 100 URC 2019, Dated: 18-12-2019

In exercise of the powers conferred by sub-section (1) of section 61 of the Shri Devaraj Aras University Act-2012 (Karnataka Act No.23 of 2013), the Government of Karnataka hereby makes the following rules, namely:-

1. Title and commencement- (1) These rules may be called the Shri Devaraj Aras University Rules, 2019.

(2) They shall come into force with effect from the date of their publication in the official Gazette.

2. Definitions.- In this Rules, unless the context otherwise requires-

(a) “Act” means the Shri Devaraj Aras University Act, 2012 (Karnataka Act No.23 of 2013);

(b) “Section” means section of the Act;

(c) “Council” means the Karnataka State Higher Education Council;

(2) The words and expressions used these rules but not defined shall have the same meanings as assigned to them in that Act.

3. Salary and Allowances and Conditions of Service of Officers and employees of the University- (1) The salary and allowances payable to the teaching faculty shall be on par with the U.G.C Pay scales.

(2) The salary and allowances of other employees shall be on par with the other State Government Employees of equivalent rank.

(3) The method of recruitment of teaching staff shall be in accordance with the U.G.C regulations issued from time to time in respect of non-teaching staff shall be in

accordance with merit and with recruitment policy of State Government as the case may be.

4. Institution of New Courses in the University-(1) The University shall send a proposal along with the approval of the Sponsoring Body and the Board of Governors to the Council well before the commencement of the each academic year for starting of new courses as per the course specification of U.G.C, A.I.C.T.E and other National Accreditation Bodies as the case may be.

Provided that Sponsoring Body and the Board of Governors before approving the proposal of institution of new courses, shall ensure requisite additional facilities having been created and requisite staff having been appointed as per the norms and standards of concerns Regulatory Authorities.

(2) On receipt of the application under sub-rule (1), the Council shall direct an inspection to be made by expert committee.

Provided the expert committee constituted by the Council shall consist of atleast one former Vice-Chancellor of State Public University.

(3) The Executive Director, the Council shall submit the application and its transcripts and the report of the expert committee to the State Government for taking a decision thereon.

(4) The State Government shall consider such applications in the light of recommendation of the expert committee and after such enquiry as may appear to it to be essential, shall permit the University to start new courses or reject the proposal as the case may be, including the variation in the intake.

(5) Any application made under sub-rule (1) may be withdrawn by the University at any time before a permission or rejection is made under sub- rule (4).

5. Closure of existing Courses in the University-(1) The University if intends to close down the existing course in view of its in capacity or financial viability or dearth of admissions shall submit application to the State Government in writing of not less than 3 months prior to intended closure of the course, stating the reasons therefor;

(2) The State Government on consideration of the same shall issue directions either to permit the closure or to reject the closure to the University.

(3) The University shall not close the courses during the currency of the academic year and until the last batch of students in the course complete their course of studies and annual examinations conducted by it in respect of course of study or over.

6. Enhancement and reduction of the Courses.-

The provisions of rule (4) shall mutatis mutandis apply for enhancement or reduction in intake of the courses in the University.

7. Powers of State Government to inspect and issue Directions- 1) For the purpose of ascertaining the standards of teaching, examination and research or any other matter relating to the University, the Government may, after consultation with Vice-Chancellor, cause an assessment to be made by the Expert Committee constituted by the Government consisting of 3 eminent Educationist, one of them shall be Former Vice-Chancellor of State Public University.

(2) On receipt of the report from the Expert Committee, the Government shall communicate its recommendations in regard to result of assessment for corrective action and the University shall take the corrective measures as are necessary so as to ensure the compliance of the recommendations. If the University fails to comply with the recommendations made under sub-section(2), within a reasonable time the Government may give such directions as it may deem fit which shall be binding on the University.

8. Permanent Statutory Endowment Fund:- (1) The Permanent Statutory endowment fund shall be pledged in the name of Director, Collegiate Education, Karnataka, who shall also be the custodian for all documents and instruments related to the permanent statutory endowment fund and its investment in a Nationalized Bank in accordance with the provisions of the Act.

(2) In case the University or the sponsoring body contravenes any of the provisions of the Act, Statutes, Ordinance, regulations or rules made there under, a part or whole of the endowment fund may be forfeited by the Government but before such Forfeiture, a show cause notice shall be served by the Government on the sponsoring body or the University, as the case may be;

(3) the Government shall, among other things, duly consider the reply submitted by the sponsoring body or the University.

(4) In case the reply to show cause notice issued under sub-rule (2) is not submitted by the sponsoring body or the University within 45 days of the notice, the government may decide the case without waiting for such reply.

(5) the forfeited amount of permanent endowment fund shall vest in the government and it shall be used in the manner to be specified by the Government at the time of forfeiture.

(6) All other funds called General Fund under section 49 and Development Fund under section 50 shall be maintained in double entry Book keeping method, and shall be kept in a nationalized or Scheduled Bank.

(7) Permanent statutory Fund, General Fund and Development Fund shall be audited by the Chartered Accountant and annual Statement of accounts along with Audit report and its compliance shall be annually submitted to the State Government through the Director of Collegiate Education.

9. Suspension or Dissolution of the University-1) On receipt of the reply from University to the Show Cause Notice referred to in proviso of sub-section (4) of section 58 of the Act, if the Government is satisfied that there is a prima-facie case of contravention of all or any of the provisions of the Act or the Rules, Statutes and Ordinances made there under or of contravention of the directions issued by it under the Act or of financial mismanagement or mal administration or indiscipline, it shall make an order of such enquiry, as it may consider necessary.

(2) The Government shall, for the purpose any inquiry under sub-section(1) institute a Commission of inquiry headed by retired Supreme Court or High Court Judge to enquire into any of the allegations and to make report thereon.

(3) On receipt of the enquiry report from the officer appointed under sub-section (2), if the Government is satisfied that the University has contravened all or any of the provisions of this Act or the rules, statutes, or ordinances made thereunder or has violated any of the directions issued by it under this Act or has ceased to carry out the powers and functions by it as laid down in section 8 of this Act, or, a situation of financial mis-management and mal-administration has arisen in the University which threatens the academic standard of the University, it shall issue a preliminary order for the liquidation of the University and appoint an administrator.

(4) The administrator appointed under sub-section (3), shall have all the powers and be subject to all the duties of the Governing Body and the Board of Management under the Act and shall administer the affairs of the University until the last batch of the students of the regular courses have completed their courses and they have been awarded degrees, diplomas or awards, as the case may be.

(5) After having corrected the mis-management or awarded the degrees, diplomas or awards, as the case may be, to the last batches of students of the regular courses, the administrator shall make a report to the Government.

(6) On receipt of the report under sub-section (5), the Government shall, by notification in the official Gazette, issue a final order dissolving the University and from the date of publication of such notification, the University shall stand dissolved and all the assets and liabilities of the University shall vest in the Sponsoring Body from such date.

(7) It shall be competent for the Government to take action as per the provisions of the Act on such dissolution and run the university in the public interest and in the interest of the students till the students are provided all facilities to complete their courses and get their degrees or diplomas.

By Order and in the name of
Governor of Karnataka

(MAHESH R)
Under Secretary to Government
Higher Education Department (Universities-2)

PR-86

DEPARTMENT OF HIGHER EDUCATION, GOVERNMENT OF KARNATAKA

NOTIFICATION

No. ED 98 URC 2019, Dated: 18-12-2019

In exercise of the powers conferred by sub-section (1) of section 62 of the P.E.S. University Act-2012 (Karnataka Act No.16 of 2013), the Government of Karnataka hereby makes the following rules, namely:-

1. Title and commencement- (1) These rules may be called the P.E.S. University Rules, 2019.

(2) They shall come into force with effect from the date of their publication in the official Gazette.

2. Definitions.- In this Rules, unless the context otherwise requires-

(a) “Act” means the P.E.S. University Act, 2012(Karnataka Act No.16 of 2013);

(b) “Section” means section of the Act;

(c) “Council” means the Karnataka State Higher Education Council;

(2) The words and expressions used these rules but not defined shall have the same meanings as assigned to them in that Act.

3. Salary and Allowances and Conditions of Service of Officers and employees of the University- (1) The salary and allowances payable to the teaching faculty shall be on par with the U.G.C Pay scales.

(2) The salary and allowances of other employees shall be on par with the other State Government Employees of equivalent rank.

(3) The method of recruitment of teaching staff shall be in accordance with the U.G.C regulations issued from time to time in respect of non-teaching staff shall be in

accordance with merit and with recruitment policy of State Government as the case may be.

4. Institution of New Courses in the University-(1) The University shall send a proposal along with the approval of the Sponsoring Body and the Board of Governors to the Council well before the commencement of the each academic year for starting of new courses as per the course specification of U.G.C, A.I.C.T.E and other National Accreditation Bodies as the case may be.

Provided that Sponsoring Body and the Board of Governors before approving the proposal of institution of new courses, shall ensure requisite additional facilities having been created and requisite staff having been appointed as per the norms and standards of concerns Regulatory Authorities.

(2) On receipt of the application under sub-rule (1), the Council shall direct an inspection to be made by expert committee.

Provided the expert committee constituted by the Council shall consist of atleast one former Vice-Chancellor of State Public University.

(3) The Executive Director, the Council shall submit the application and its transcripts and the report of the expert committee to the State Government for taking a decision thereon.

(4) The State Government shall consider such applications in the light of recommendation of the expert committee and after such enquiry as may appear to it to be essential, shall permit the University to start new courses or reject the proposal as the case may be, including the variation in the intake.

(5) Any application made under sub-rule (1) may be withdrawn by the University at any time before a permission or rejection is made under sub- rule (4).

5. Closure of existing Courses in the University-(1) The University if intends to close down the existing course in view of its in capacity or financial viability or dearth of admissions shall submit application to the State Government in writing of not less than 3 months prior to intended closure of the course, stating the reasons therefor;

(2) The State Government on consideration of the same shall issue directions either to permit the closure or to reject the closure to the University.

(3) The University shall not close the courses during the currency of the academic year and until the last batch of students in the course complete their course of studies and annual examinations conducted by it in respect of course of study or over.

6. Enhancement and reduction of the Courses.-

The provisions of rule (4) shall mutatis mutandis apply for enhancement or reduction in intake of the courses in the University.

7. Powers of State Government to inspect and issue Directions- 1) For the purpose of ascertaining the standards of teaching, examination and research or any other matter relating to the University, the Government may, after consultation with Vice-Chancellor, cause an assessment to be made by the Expert Committee constituted by the Government consisting of 3 eminent Educationist, one of them shall be Former Vice-Chancellor of State Public University.

(2) On receipt of the report from the Expert Committee, the Government shall communicate its recommendations in regard to result of assessment for corrective action and the University shall take the corrective measures as are necessary so as to ensure the compliance of the recommendations. If the University fails to comply with the recommendations made under sub-section(2), within a reasonable time the Government may give such directions as it may deem fit which shall be binding on the University.

8. Permanent Statutory Endowment Fund:- (1) The Permanent Statutory endowment fund shall be pledged in the name of Director, Collegiate Education, Karnataka, who shall also be the custodian for all documents and instruments related to the permanent statutory endowment fund and its investment in a Nationalized Bank in accordance with the provisions of the Act.

(2) In case the University or the sponsoring body contravenes any of the provisions of the Act, Statutes, Ordinance, regulations or rules made there under, a part or whole of the endowment fund may be forfeited by the Government but before such Forfeiture, a show cause notice shall be served by the Government on the sponsoring body or the University, as the case may be;

(3) the Government shall, among other things, duly consider the reply submitted by the sponsoring body or the University.

(4) In case the reply to show cause notice issued under sub-rule (2) is not submitted by the sponsoring body or the University within 45 days of the notice, the government may decide the case without waiting for such reply.

(5) the forfeited amount of permanent endowment fund shall vest in the government and it shall be used in the manner to be specified by the Government at the time of forfeiture.

(6) All other funds called General Fund under section 49 and Development Fund under section 50 shall be maintained in double entry Book keeping method, and shall be kept in a nationalized or Scheduled Bank.

(7) Permanent statutory Fund, General Fund and Development Fund shall be audited by the Chartered Accountant and annual Statement of accounts along with Audit report and its compliance shall be annually submitted to the State Government through the Director of Collegiate Education.

9. Suspension or Dissolution of the University-1) On receipt of the reply from University to the Show Cause Notice referred to in proviso of sub-section (4) of section 58 of the Act, if the Government is satisfied that there is a prima-facie case of contravention of all or any of the provisions of the Act or the Rules, Statutes and Ordinances made there under or of contravention of the directions issued by it under the Act or of financial mismanagement or mal administration or indiscipline, it shall make an order of such enquiry, as it may consider necessary.

(2) The Government shall, for the purpose any inquiry under sub-section(1) institute a Commission of inquiry headed by retired Supreme Court or High Court Judge to enquire into any of the allegations and to make report thereon.

(3) On receipt of the enquiry report from the officer appointed under sub-section (2), if the Government is satisfied that the University has contravened all or any of the provisions of this Act or the rules, statutes, or ordinances made thereunder or has violated any of the directions issued by it under this Act or has ceased to carry out the powers and functions by it as laid down in section 8 of this Act, or, a situation of financial mis-management and mal-administration has arisen in the University which threatens the academic standard of thee University, it shall issue a preliminary order for the liquidation of the University and appoint an administrator.

(4) The administrator appointed under sub-section (3), shall have all the powers and be subject to all the duties of the Governing Body and the Board of Management under the Act and shall administer the affairs of the University until the last batch of the students of the regular courses have completed their courses and they have been awarded degrees, diplomas or awards, as the case may be.

(5) After having corrected the mis-management or awarded the degrees, diplomas or awards, as the case may be, to the last batches of students of the regular courses, the administrator shall make a report to the Government.

(6) On receipt of the report under sub-section (5), the Government shall, by notification in the official Gazette, issue a final order dissolving the University and from the date of publication of such notification, the University shall stand dissolved and all the assets and liabilities of the University shall vest in the Sponsoring Body from such date.

(7) It shall be competent for the Government to take action as per the provisions of the Act on such dissolution and run the university in the public interest and in the interest of the students till the students are provided all facilities to complete their courses and get their degrees or diplomas.

By Order and in the name of
Governor of Karnataka

(MAHESH R)
Under Secretary to Government
Higher Education Department (Universities-2)

PR-87

DEPARTMENT OF HIGHER EDUCATION, GOVERNMENT OF KARNATAKA NOTIFICATION

No. ED 89 URC 2019, Dated: 18-12-2019

In exercise of the powers conferred by sub-section (1) of section 61 of the M.S. RAMIAH University OF APPLIED SCIENCES Act-2012 (Karnataka Act No.15 of 2013), the Government of Karnataka hereby makes the following rules, namely:-

1. Title and commencement- (1) These rules may be called the M.S. RAMIAH University OF APPLIED SCIENCES Rules, 2019.

(2) They shall come into force with effect from the date of their publication in the official Gazette.

2. Definitions.- In this Rules, unless the context otherwise requires-

(a) “Act” means the M.S. RAMIAH University OF APPLIED SCIENCES Act, 2012 (Karnataka Act No.15 of 2013);

(b) “Section” means section of the Act;

(c) “Council” means the Karnataka State Higher Education Council;

(2) The words and expressions used these rules but not defined shall have the same meanings as assigned to them in that Act.

3. Salary and Allowances and Conditions of Service of Officers and employees of the University- (1) The salary and allowances payable to the teaching faculty shall be on par with the U.G.C Pay scales.

(2) The salary and allowances of other employees shall be on par with the other State Government Employees of equivalent rank.

(3) The method of recruitment of teaching staff shall be in accordance with the U.G.C regulations issued from time to time in respect of non-teaching staff shall be in accordance with merit and with recruitment policy of State Government as the case may be.

4. Institution of New Courses in the University-(1) The University shall send a proposal along with the approval of the Sponsoring Body and the Board of Governors to the Council well before the commencement of the each academic year for starting of new courses as per the course specification of U.G.C, A.I.C.T.E and other National Accreditation Bodies as the case may be.

Provided that Sponsoring Body and the Board of Governors before approving the proposal of institution of new courses, shall ensure requisite additional facilities having been created and requisite staff having been appointed as per the norms and standards of concerns Regulatory Authorities.

(2) On receipt of the application under sub-rule (1), the Council shall direct an inspection to be made by expert committee.

Provided the expert committee constituted by the Council shall consist of atleast one former Vice-Chancellor of State Public University.

(3) The Executive Director, the Council shall submit the application and its transcripts and the report of the expert committee to the State Government for taking a decision thereon.

(4) The State Government shall consider such applications in the light of recommendation of the expert committee and after such enquiry as may appear to it to be essential, shall permit the University to start new courses or reject the proposal as the case may be, including the variation in the intake.

(5) Any application made under sub-rule(1) may be withdrawn by the University at any time before a permission or rejection is made under sub- rule (4).

5. Closure of existing Courses in the University-(1) The University if intends to close down the existing course in view of its in capacity or financial viability or dearth of admissions shall submit application to the State Government in writing of not less than 3 months prior to intended closure of the course, stating the reasons therefor;

(2) The State Government on consideration of the same shall issue directions either to permit the closure or to reject the closure to the University.

(3) The University shall not close the courses during the currency of the academic year and until the last batch of students in the course complete their course of studies and annual examinations conducted by it in respect of course of study or over.

6. Enhancement and reduction of the Courses.-

The provisions of rule (4) shall mutatis mutandis apply for enhancement or reduction in intake of the courses in the University.

7. Powers of State Government to inspect and issue Directions- 1) For the purpose of ascertaining the standards of teaching, examination and research or any other matter relating to the University, the Government may, after consultation with Vice-Chancellor, cause an assessment to be made by the Expert Committee constituted by the Government consisting of 3 eminent Educationist, one of them shall be Former Vice-Chancellor of State Public University.

(2) On receipt of the report from the Expert Committee, the Government shall communicate its recommendations in regard to result of assessment for corrective action and the University shall take the corrective measures as are necessary so as to ensure the compliance of the recommendations. If the University fails to comply with the recommendations made under sub-section(2), within a reasonable time the Government may give such directions as it may deem fit which shall be binding on the University.

8. Permanent Statutory Endowment Fund:- (1) The Permanent Statutory endowment fund shall be pledged in the name of Director, Collegiate Education, Karnataka, who shall also be the custodian for all documents and instruments related to the permanent statutory endowment fund and its investment in a Nationalized Bank in accordance with the provisions of the Act.

(2) In case the University or the sponsoring body contravenes any of the provisions of the Act, Statutes, Ordinance, regulations or rules made there under, a part or whole of the endowment fund may be forfeited by the Government but before such Forfeiture, a show cause notice shall be served by the Government on the sponsoring body or the University, as the case may be;

(3) the Government shall, among other things, duly consider the reply submitted by the sponsoring body or the University.

(4) In case the reply to show cause notice issued under sub-rule (2) is not submitted by the sponsoring body or the University within 45 days of the notice, the government may decide the case without waiting for such reply.

(5) the forfeited amount of permanent endowment fund shall vest in the government and it shall be used in the manner to be specified by the Government at the time of forfeiture.

(6) All other funds called General Fund under section 49 and Development Fund under section 50 shall be maintained in double entry Book keeping method, and shall be kept in a nationalized or Scheduled Bank.

(7) Permanent statutory Fund, General Fund and Development Fund shall be audited by the Chartered Accountant and annual Statement of accounts along with Audit report and its compliance shall be annually submitted to the State Government through the Director of Collegiate Education.

9. Suspension or Dissolution of the University-1) On receipt of the reply from University to the Show Cause Notice referred to in proviso of sub-section (4) of section 58 of the Act, if the Government is satisfied that there is a prima-facie case of contravention of all or any of the provisions of the Act or the Rules, Statutes and Ordinances made there under or of contravention of the directions issued by it under the Act or of financial mismanagement or mal administration or indiscipline, it shall make an order of such enquiry, as it may consider necessary.

(2) The Government shall, for the purpose any inquiry under sub-section(1) institute a Commission of inquiry headed by retired Supreme Court or High Court Judge to enquire into any of the allegations and to make report thereon.

(3) On receipt of the enquiry report from the officer appointed under sub-section (2), if the Government is satisfied that the University has contravened all or any of the provisions of this Act or the rules, statutes, or ordinances made thereunder or has violated any of the directions issued by it under this Act or has ceased to carry out the powers and functions by it as laid down in section 8 of this Act, or, a situation of financial mis-management and mal-administration has arisen in the University which threatens the academic standard of the University, it shall issue a preliminary order for the liquidation of the University and appoint an administrator.

(4) The administrator appointed under sub-section (3), shall have all the powers and be subject to all the duties of the Governing Body and the Board of Management under the Act and shall administer the affairs of the University until the last batch of the students of the regular courses have completed their courses and they have been awarded degrees, diplomas or awards, as the case may be.

(5) After having corrected the mis-management or awarded the degrees, diplomas or awards, as the case may be, to the last batches of students of the regular courses, the administrator shall make a report to the Government.

(6) On receipt of the report under sub-section (5), the Government shall, by notification in the official Gazette, issue a final order dissolving the University and from the date of publication of such notification, the University shall stand dissolved and all the assets and liabilities of the University shall vest in the Sponsoring Body from such date.

(7) It shall be competent for the Government to take action as per the provisions of the Act on such dissolution and run the university in the public interest and in the interest of the students till the students are provided all facilities to complete their courses and get their degrees or diplomas.

By Order and in the name of
Governor of Karnataka

(MAHESH R)

Under Secretary to Government
Higher Education Department (Universities-2)

PR-88

DEPARTMENT OF HIGHER EDUCATION, GOVERNMENT OF KARNATAKA

NOTIFICATION

No. ED 99 URC 2019, Dated: 18-12-2019

In exercise of the powers conferred by sub-section (1) of section 61 of the New Baldwin University Act-2013 (Karnataka Act No.48 of 2013), the Government of Karnataka hereby makes the following rules, namely:-

1. Title and commencement- (1) These rules may be called the New Baldwin University Rules, 2019.

(2) They shall come into force with effect from the date of their publication in the official Gazette.

2. Definitions.- In this Rules, unless the context otherwise requires-

(a) "Act" means the New Baldwin University Act, 2013 (Karnataka Act No.48 of 2013);

(b) "Section" means section of the Act;

(c) "Council" means the Karnataka State Higher Education Council;

(2) The words and expressions used these rules but not defined shall have the same meanings as assigned to them in that Act.

3. Salary and Allowances and Conditions of Service of Officers and employees of the University- (1) The salary and allowances payable to the teaching faculty shall be on par with the U.G.C Pay scales.

(2) The salary and allowances of other employees shall be on par with the other State Government Employees of equivalent rank.

(3) The method of recruitment of teaching staff shall be in accordance with the U.G.C regulations issued from time to time in respect of non-teaching staff shall be in

accordance with merit and with recruitment policy of State Government as the case may be.

4. Institution of New Courses in the University-(1) The University shall send a proposal along with the approval of the Sponsoring Body and the Board of Governors to the Council well before the commencement of the each academic year for starting of new courses as per the course specification of U.G.C, A.I.C.T.E and other National Accreditation Bodies as the case may be.

Provided that Sponsoring Body and the Board of Governors before approving the proposal of institution of new courses, shall ensure requisite additional facilities having been created and requisite staff having been appointed as per the norms and standards of concerns Regulatory Authorities.

(2) On receipt of the application under sub-rule (1), the Council shall direct an inspection to be made by expert committee.

Provided the expert committee constituted by the Council shall consist of atleast one former Vice-Chancellor of State Public University.

(3) The Executive Director, the Council shall submit the application and its transcripts and the report of the expert committee to the State Government for taking a decision thereon.

(4) The State Government shall consider such applications in the light of recommendation of the expert committee and after such enquiry as may appear to it to be essential, shall permit the University to start new courses or reject the proposal as the case may be, including the variation in the intake.

(5) Any application made under sub-rule (1) may be withdrawn by the University at any time before a permission or rejection is made under sub- rule (4).

5. Closure of existing Courses in the University-(1) The University if intends to close down the existing course in view of its in capacity or financial viability or dearth of admissions shall submit application to the State Government in writing of not less than 3 months prior to intended closure of the course, stating the reasons therefor;

(2) The State Government on consideration of the same shall issue directions either to permit the closure or to reject the closure to the University.

(3) The University shall not close the courses during the currency of the academic year and until the last batch of students in the course complete their course of studies and annual examinations conducted by it in respect of course of study or over.

6. Enhancement and reduction of the Courses.-

The provisions of rule (4) shall mutatis mutandis apply for enhancement or reduction in intake of the courses in the University.

7. Powers of State Government to inspect and issue Directions- 1) For the purpose of ascertaining the standards of teaching, examination and research or any other matter relating to the University, the Government may, after consultation with Vice-Chancellor, cause an assessment to be made by the Expert Committee constituted by the Government consisting of 3 eminent Educationist, one of them shall be Former Vice-Chancellor of State Public University.

(2) On receipt of the report from the Expert Committee, the Government shall communicate its recommendations in regard to result of assessment for corrective action and the University shall take the corrective measures as are necessary so as to ensure the compliance of the recommendations. If the University fails to comply with the recommendations made under sub-section(2), within a reasonable time the Government may give such directions as it may deem fit which shall be binding on the University.

8. Permanent Statutory Endowment Fund:- (1) The Permanent Statutory endowment fund shall be pledged in the name of Director, Collegiate Education, Karnataka, who shall also be the custodian for all documents and instruments related to the permanent statutory endowment fund and its investment in a Nationalized Bank in accordance with the provisions of the Act.

(2) In case the University or the sponsoring body contravenes any of the provisions of the Act, Statutes, Ordinance, regulations or rules made there under, a part or whole of the endowment fund may be forfeited by the Government but before such Forfeiture, a show cause notice shall be served by the Government on the sponsoring body or the University, as the case may be;

(3) the Government shall, among other things, duly consider the reply submitted by the sponsoring body or the University.

(4) In case the reply to show cause notice issued under sub-rule (2) is not submitted by the sponsoring body or the University within 45 days of the notice, the government may decide the case without waiting for such reply.

(5) the forfeited amount of permanent endowment fund shall vest in the government and it shall be used in the manner to be specified by the Government at the time of forfeiture.

(6) All other funds called General Fund under section 49 and Development Fund under section 50 shall be maintained in double entry Book keeping method, and shall be kept in a nationalized or Scheduled Bank.

(7) Permanent statutory Fund, General Fund and Development Fund shall be audited by the Chartered Accountant and annual Statement of accounts along with Audit report and its compliance shall be annually submitted to the State Government through the Director of Collegiate Education.

9. Suspension or Dissolution of the University-1) On receipt of the reply from University to the Show Cause Notice referred to in proviso of sub-section (4) of section 58 of the Act, if the Government is satisfied that there is a prima-facie case of contravention of all or any of the provisions of the Act or the Rules, Statutes and Ordinances made there under or of contravention of the directions issued by it under the Act or of financial mismanagement or mal administration or indiscipline, it shall make an order of such enquiry, as it may consider necessary.

(2) The Government shall, for the purpose any inquiry under sub-section(1) institute a Commission of inquiry headed by retired Supreme Court or High Court Judge to enquire into any of the allegations and to make report thereon.

(3) On receipt of the enquiry report from the officer appointed under sub-section (2), if the Government is satisfied that the University has contravened all or any of the provisions of this Act or the rules, statutes, or ordinances made thereunder or has violated any of the directions issued by it under this Act or has ceased to carry out the powers and functions by it as laid down in section 8 of this Act, or, a situation of financial mis-management and mal-administration has arisen in the University which threatens the academic standard of the University, it shall issue a preliminary order for the liquidation of the University and appoint an administrator.

(4) The administrator appointed under sub-section (3), shall have all the powers and be subject to all the duties of the Governing Body and the Board of Management under the Act and shall administer the affairs of the University until the last batch of the students of the regular courses have completed their courses and they have been awarded degrees, diplomas or awards, as the case may be.

(5) After having corrected the mis-management or awarded the degrees, diplomas or awards, as the case may be, to the last batches of students of the regular courses, the administrator shall make a report to the Government.

(6) On receipt of the report under sub-section (5), the Government shall, by notification in the official Gazette, issue a final order dissolving the University and from the date of publication of such notification, the University shall stand dissolved and all the assets and liabilities of the University shall vest in the Sponsoring Body from such date.

(7) It shall be competent for the Government to take action as per the provisions of the Act on such dissolution and run the university in the public interest and in the interest of the students till the students are provided all facilities to complete their courses and get their degrees or diplomas.

By Order and in the name of
Governor of Karnataka

(MAHESH R)

Under Secretary to Government
Higher Education Department (Universities-2)

PR-89

DEPARTMENT OF HIGHER EDUCATION, GOVERNMENT OF KARNATAKA

NOTIFICATION

No. ED 103 URC 2019, Dated: 18-12-2019

In exercise of the powers conferred by sub-section (1) of section 61 of the Reva University Act-2012 (Karnataka Act No.13 of 2013), the Government of Karnataka hereby makes the following rules, namely:-

1. Title and commencement- (1) These rules may be called the Reva University Rules, 2019.

(2) They shall come into force with effect from the date of their publication in the official Gazette.

2. Definitions.- In this Rules, unless the context otherwise requires-

(a) "Act" means the Reva University Act, 2012 (Karnataka Act No.13 of 2013);

(b) "Section" means section of the Act;

(c) "Council" means the Karnataka State Higher Education Council;

(2) The words and expressions used these rules but not defined shall have the same meanings as assigned to them in that Act.

3. Salary and Allowances and Conditions of Service of Officers and employees of the University- (1) The salary and allowances payable to the teaching faculty shall be on par with the U.G.C Pay scales.

(2) The salary and allowances of other employees shall be on par with the other State Government Employees of equivalent rank.

(3) The method of recruitment of teaching staff shall be in accordance with the U.G.C regulations issued from time to time in respect of non-teaching staff shall be in

accordance with merit and with recruitment policy of State Government as the case may be.

4. Institution of New Courses in the University-(1) The University shall send a proposal along with the approval of the Sponsoring Body and the Board of Governors to the Council well before the commencement of the each academic year for starting of new courses as per the course specification of U.G.C, A.I.C.T.E and other National Accreditation Bodies as the case may be.

Provided that Sponsoring Body and the Board of Governors before approving the proposal of institution of new courses, shall ensure requisite additional facilities having been created and requisite staff having been appointed as per the norms and standards of concerns Regulatory Authorities.

(2) On receipt of the application under sub-rule (1), the Council shall direct an inspection to be made by expert committee.

Provided the expert committee constituted by the Council shall consist of atleast one former Vice-Chancellor of State Public University.

(3) The Executive Director, the Council shall submit the application and its transcripts and the report of the expert committee to the State Government for taking a decision thereon.

(4) The State Government shall consider such applications in the light of recommendation of the expert committee and after such enquiry as may appear to it to be essential, shall permit the University to start new courses or reject the proposal as the case may be, including the variation in the intake.

(5) Any application made under sub-rule (1) may be withdrawn by the University at any time before a permission or rejection is made under sub- rule (4).

5. Closure of existing Courses in the University-(1) The University if intends to close down the existing course in view of its in capacity or financial viability or dearth of admissions shall submit application to the State Government in writing of not less than 3 months prior to intended closure of the course, stating the reasons therefor;

(2) The State Government on consideration of the same shall issue directions either to permit the closure or to reject the closure to the University.

(3) The University shall not close the courses during the currency of the academic year and until the last batch of students in the course complete their course of studies and annual examinations conducted by it in respect of course of study or over.

6. Enhancement and reduction of the Courses.-

The provisions of rule (4) shall mutatis mutandis apply for enhancement or reduction in intake of the courses in the University.

7. Powers of State Government to inspect and issue Directions- 1) For the purpose of ascertaining the standards of teaching, examination and research or any other matter relating to the University, the Government may, after consultation with Vice-Chancellor, cause an assessment to be made by the Expert Committee constituted by the Government consisting of 3 eminent Educationist, one of them shall be Former Vice-Chancellor of State Public University.

(2) On receipt of the report from the Expert Committee, the Government shall communicate its recommendations in regard to result of assessment for corrective action and the University shall take the corrective measures as are necessary so as to ensure the compliance of the recommendations. If the University fails to comply with the recommendations made under sub-section(2), within a reasonable time the Government may give such directions as it may deem fit which shall be binding on the University.

8. Permanent Statutory Endowment Fund:- (1) The Permanent Statutory endowment fund shall be pledged in the name of Director, Collegiate Education, Karnataka, who shall also be the custodian for all documents and instruments related to the permanent statutory endowment fund and its investment in a Nationalized Bank in accordance with the provisions of the Act.

(2) In case the University or the sponsoring body contravenes any of the provisions of the Act, Statutes, Ordinance, regulations or rules made there under, a part or whole of the endowment fund may be forfeited by the Government but before such Forfeiture, a show cause notice shall be served by the Government on the sponsoring body or the University, as the case may be;

(3) the Government shall, among other things, duly consider the reply submitted by the sponsoring body or the University.

(4) In case the reply to show cause notice issued under sub-rule (2) is not submitted by the sponsoring body or the University within 45 days of the notice, the government may decide the case without waiting for such reply.

(5) the forfeited amount of permanent endowment fund shall vest in the government and it shall be used in the manner to be specified by the Government at the time of forfeiture.

(6) All other funds called General Fund under section 49 and Development Fund under section 50 shall be maintained in double entry Book keeping method, and shall be kept in a nationalized or Scheduled Bank.

(7) Permanent statutory Fund, General Fund and Development Fund shall be audited by the Chartered Accountant and annual Statement of accounts along with Audit report and its compliance shall be annually submitted to the State Government through the Director of Collegiate Education.

9. Suspension or Dissolution of the University-1) On receipt of the reply from University to the Show Cause Notice referred to in proviso of sub-section (4) of section 58 of the Act, if the Government is satisfied that there is a prima-facie case of contravention of all or any of the provisions of the Act or the Rules, Statutes and Ordinances made there under or of contravention of the directions issued by it under the Act or of financial mismanagement or mal administration or indiscipline, it shall make an order of such enquiry, as it may consider necessary.

(2) The Government shall, for the purpose any inquiry under sub-section(1) institute a Commission of inquiry headed by retired Supreme Court or High Court Judge to enquire into any of the allegations and to make report thereon.

(3) On receipt of the enquiry report from the officer appointed under sub-section (2), if the Government is satisfied that the University has contravened all or any of the provisions of this Act or the rules, statutes, or ordinances made thereunder or has violated any of the directions issued by it under this Act or has ceased to carry out the powers and functions by it as laid down in section 8 of this Act, or, a situation of financial mis-management and mal-administration has arisen in the University which threatens the academic standard of the University, it shall issue a preliminary order for the liquidation of the University and appoint an administrator.

(4) The administrator appointed under sub-section (3), shall have all the powers and be subject to all the duties of the Governing Body and the Board of Management under the Act and shall administer the affairs of the University until the last batch of the students of the regular courses have completed their courses and they have been awarded degrees, diplomas or awards, as the case may be.

(5) After having corrected the mis-management or awarded the degrees, diplomas or awards, as the case may be, to the last batches of students of the regular courses, the administrator shall make a report to the Government.

(6) On receipt of the report under sub-section (5), the Government shall, by notification in the official Gazette, issue a final order dissolving the University and from the date of publication of such notification, the University shall stand dissolved and all the assets and liabilities of the University shall vest in the Sponsoring Body from such date.

(7) It shall be competent for the Government to take action as per the provisions of the Act on such dissolution and run the university in the public interest and in the interest of the students till the students are provided all facilities to complete their courses and get their degrees or diplomas.

By Order and in the name of
Governor of Karnataka

(MAHESH R)

Under Secretary to Government
Higher Education Department (Universities-2)

PR-90

DEPARTMENT OF HIGHER EDUCATION, GOVERNMENT OF KARNATAKA

NOTIFICATION

No. ED 79 URC 2019, Dated: 18-12-2019

In exercise of the powers conferred by sub-section (1) of section 61 of the K.L.E. Technological University Act-2012 (Karnataka Act No.22 of 2013), the Government of Karnataka hereby makes the following rules, namely:-

1. Title and commencement- (1) These rules may be called the K.L.E. Technological University Rules, 2019.

(2) They shall come into force with effect from the date of their publication in the official Gazette.

2. Definitions.- In this Rules, unless the context otherwise requires-

(a) "Act" means the K.L.E. Technological University Act, 2012 (Karnataka Act No.22 of 2013);

(b) "Section" means section of the Act;

(c) "Council" means the Karnataka State Higher Education Council;

(2) The words and expressions used these rules but not defined shall have the same meanings as assigned to them in that Act.

3. Salary and Allowances and Conditions of Service of Officers and employees of the University- (1) The salary and allowances payable to the teaching faculty shall be on par with the U.G.C Pay scales.

(2) The salary and allowances of other employees shall be on par with the other State Government Employees of equivalent rank.

(3) The method of recruitment of teaching staff shall be in accordance with the U.G.C regulations issued from time to time in respect of non-teaching staff shall be in

accordance with merit and with recruitment policy of State Government as the case may be.

4. Institution of New Courses in the University-(1) The University shall send a proposal along with the approval of the Sponsoring Body and the Board of Governors to the Council well before the commencement of the each academic year for starting of new courses as per the course specification of U.G.C, A.I.C.T.E and other National Accreditation Bodies as the case may be.

Provided that Sponsoring Body and the Board of Governors before approving the proposal of institution of new courses, shall ensure requisite additional facilities having been created and requisite staff having been appointed as per the norms and standards of concerns Regulatory Authorities.

(2) On receipt of the application under sub-rule (1), the Council shall direct an inspection to be made by expert committee.

Provided the expert committee constituted by the Council shall consist of atleast one former Vice-Chancellor of State Public University.

(3) The Executive Director, the Council shall submit the application and its transcripts and the report of the expert committee to the State Government for taking a decision thereon.

(4) The State Government shall consider such applications in the light of recommendation of the expert committee and after such enquiry as may appear to it to be essential, shall permit the University to start new courses or reject the proposal as the case may be, including the variation in the intake.

(5) Any application made under sub-rule (1) may be withdrawn by the University at any time before a permission or rejection is made under sub- rule (4).

5. Closure of existing Courses in the University-(1) The University if intends to close down the existing course in view of its in capacity or financial viability or dearth of admissions shall submit application to the State Government in writing of not less than 3 months prior to intended closure of the course, stating the reasons therefor;

(2) The State Government on consideration of the same shall issue directions either to permit the closure or to reject the closure to the University.

(3) The University shall not close the courses during the currency of the academic year and until the last batch of students in the course complete their course of studies and annual examinations conducted by it in respect of course of study or over.

6. Enhancement and reduction of the Courses.-

The provisions of rule (4) shall mutatis mutandis apply for enhancement or reduction in intake of the courses in the University.

7. Powers of State Government to inspect and issue Directions- 1) For the purpose of ascertaining the standards of teaching, examination and research or any other matter relating to the University, the Government may, after consultation with Vice-Chancellor, cause an assessment to be made by the Expert Committee constituted by the Government consisting of 3 eminent Educationist, one of them shall be Former Vice-Chancellor of State Public University.

(2) On receipt of the report from the Expert Committee, the Government shall communicate its recommendations in regard to result of assessment for corrective action and the University shall take the corrective measures as are necessary so as to ensure the compliance of the recommendations. If the University fails to comply with the recommendations made under sub-section(2), within a reasonable time the Government may give such directions as it may deem fit which shall be binding on the University.

8. Permanent Statutory Endowment Fund:- (1) The Permanent Statutory endowment fund shall be pledged in the name of Director, Collegiate Education, Karnataka, who shall also be the custodian for all documents and instruments related to the permanent statutory endowment fund and its investment in a Nationalized Bank in accordance with the provisions of the Act.

(2) In case the University or the sponsoring body contravenes any of the provisions of the Act, Statutes, Ordinance, regulations or rules made there under, a part or whole of the endowment fund may be forfeited by the Government but before such Forfeiture, a show cause notice shall be served by the Government on the sponsoring body or the University, as the case may be;

(3) the Government shall, among other things, duly consider the reply submitted by the sponsoring body or the University.

(4) In case the reply to show cause notice issued under sub-rule (2) is not submitted by the sponsoring body or the University within 45 days of the notice, the government may decide the case without waiting for such reply.

(5) the forfeited amount of permanent endowment fund shall vest in the government and it shall be used in the manner to be specified by the Government at the time of forfeiture.

(6) All other funds called General Fund under section 49 and Development Fund under section 50 shall be maintained in double entry Book keeping method, and shall be kept in a nationalized or Scheduled Bank.

(7) Permanent statutory Fund, General Fund and Development Fund shall be audited by the Chartered Accountant and annual Statement of accounts along with Audit report and its compliance shall be annually submitted to the State Government through the Director of Collegiate Education.

9. Suspension or Dissolution of the University-1) On receipt of the reply from University to the Show Cause Notice referred to in proviso of sub-section (4) of section 58 of the Act, if the Government is satisfied that there is a prima-facie case of contravention of all or any of the provisions of the Act or the Rules, Statutes and Ordinances made there under or of contravention of the directions issued by it under the Act or of financial mismanagement or mal administration or indiscipline, it shall make an order of such enquiry, as it may consider necessary.

(2) The Government shall, for the purpose any inquiry under sub-section(1) institute a Commission of inquiry headed by retired Supreme Court or High Court Judge to enquire into any of the allegations and to make report thereon.

(3) On receipt of the enquiry report from the officer appointed under sub-section (2), if the Government is satisfied that the University has contravened all or any of the provisions of this Act or the rules, statutes, or ordinances made thereunder or has violated any of the directions issued by it under this Act or has ceased to carry out the powers and functions by it as laid down in section 8 of this Act, or, a situation of financial mis-management and mal-administration has arisen in the University which threatens the academic standard of the University, it shall issue a preliminary order for the liquidation of the University and appoint an administrator.

(4) The administrator appointed under sub-section (3), shall have all the powers and be subject to all the duties of the Governing Body and the Board of Management under the Act and shall administer the affairs of the University until the last batch of the students of the regular courses have completed their courses and they have been awarded degrees, diplomas or awards, as the case may be.

(5) After having corrected the mis-management or awarded the degrees, diplomas or awards, as the case may be, to the last batches of students of the regular courses, the administrator shall make a report to the Government.

(6) On receipt of the report under sub-section (5), the Government shall, by notification in the official Gazette, issue a final order dissolving the University and from the date of publication of such notification, the University shall stand dissolved and all the assets and liabilities of the University shall vest in the Sponsoring Body from such date.

(7) It shall be competent for the Government to take action as per the provisions of the Act on such dissolution and run the university in the public interest and in the interest of the students till the students are provided all facilities to complete their courses and get their degrees or diplomas.

By Order and in the name of
Governor of Karnataka

(MAHESH R)

Under Secretary to Government
Higher Education Department (Universities-2)

PR-91

DEPARTMENT OF HIGHER EDUCATION, GOVERNMENT OF KARNATAKA

NOTIFICATION

No. ED 107 URC 2019, Dated: 18-12-2019

In exercise of the powers conferred by sub-section (1) of section 61 of the Srinivasa University Act-2013 (Karnataka Act No.42 of 2013), the Government of Karnataka hereby makes the following rules, namely:-

1. Title and commencement- (1) These rules may be called the Srinivasa University Rules, 2019.

(2) They shall come into force with effect from the date of their publication in the official Gazette.

2. Definitions.- In this Rules, unless the context otherwise requires-

(a) “Act” means the Srinivasa University Act, 2013(Karnataka Act No.42 of 2013);

(b) “Section” means section of the Act;

(c) “Council” means the Karnataka State Higher Education Council;

(2) The words and expressions used these rules but not defined shall have the same meanings as assigned to them in that Act.

3. Salary and Allowances and Conditions of Service of Officers and employees of the University- (1) The salary and allowances payable to the teaching faculty shall be on par with the U.G.C Pay scales.

(2) The salary and allowances of other employees shall be on par with the other State Government Employees of equivalent rank.

(3) The method of recruitment of teaching staff shall be in accordance with the U.G.C regulations issued from time to time in respect of non-teaching staff shall be in

accordance with merit and with recruitment policy of State Government as the case may be.

4. Institution of New Courses in the University-(1) The University shall send a proposal along with the approval of the Sponsoring Body and the Board of Governors to the Council well before the commencement of the each academic year for starting of new courses as per the course specification of U.G.C, A.I.C.T.E and other National Accreditation Bodies as the case may be.

Provided that Sponsoring Body and the Board of Governors before approving the proposal of institution of new courses, shall ensure requisite additional facilities having been created and requisite staff having been appointed as per the norms and standards of concerns Regulatory Authorities.

(2) On receipt of the application under sub-rule (1), the Council shall direct an inspection to be made by expert committee.

Provided the expert committee constituted by the Council shall consist of atleast one former Vice-Chancellor of State Public University.

(3) The Executive Director, the Council shall submit the application and its transcripts and the report of the expert committee to the State Government for taking a decision thereon.

(4) The State Government shall consider such applications in the light of recommendation of the expert committee and after such enquiry as may appear to it to be essential, shall permit the University to start new courses or reject the proposal as the case may be, including the variation in the intake.

(5) Any application made under sub-rule (1) may be withdrawn by the University at any time before a permission or rejection is made under sub- rule (4).

5. Closure of existing Courses in the University-(1) The University if intends to close down the existing course in view of its in capacity or financial viability or dearth of admissions shall submit application to the State Government in writing of not less than 3 months prior to intended closure of the course, stating the reasons therefor;

(2) The State Government on consideration of the same shall issue directions either to permit the closure or to reject the closure to the University.

(3) The University shall not close the courses during the currency of the academic year and until the last batch of students in the course complete their course of studies and annual examinations conducted by it in respect of course of study or over.

6. Enhancement and reduction of the Courses.-

The provisions of rule (4) shall mutatis mutandis apply for enhancement or reduction in intake of the courses in the University.

7. Powers of State Government to inspect and issue Directions- 1) For the purpose of ascertaining the standards of teaching, examination and research or any other matter relating to the University, the Government may, after consultation with Vice-Chancellor, cause an assessment to be made by the Expert Committee constituted by the Government consisting of 3 eminent Educationist, one of them shall be Former Vice-Chancellor of State Public University.

(2) On receipt of the report from the Expert Committee, the Government shall communicate its recommendations in regard to result of assessment for corrective action and the University shall take the corrective measures as are necessary so as to ensure the compliance of the recommendations. If the University fails to comply with the recommendations made under sub-section(2), within a reasonable time the Government may give such directions as it may deem fit which shall be binding on the University.

8. Permanent Statutory Endowment Fund:- (1) The Permanent Statutory endowment fund shall be pledged in the name of Director, Collegiate Education, Karnataka, who shall also be the custodian for all documents and instruments related to the permanent statutory endowment fund and its investment in a Nationalized Bank in accordance with the provisions of the Act.

(2) In case the University or the sponsoring body contravenes any of the provisions of the Act, Statutes, Ordinance, regulations or rules made there under, a part or whole of the endowment fund may be forfeited by the Government but before such Forfeiture, a show cause notice shall be served by the Government on the sponsoring body or the University, as the case may be;

(3) the Government shall, among other things, duly consider the reply submitted by the sponsoring body or the University.

(4) In case the reply to show cause notice issued under sub-rule (2) is not submitted by the sponsoring body or the University within 45 days of the notice, the government may decide the case without waiting for such reply.

(5) the forfeited amount of permanent endowment fund shall vest in the government and it shall be used in the manner to be specified by the Government at the time of forfeiture.

(6) All other funds called General Fund under section 49 and Development Fund under section 50 shall be maintained in double entry Book keeping method, and shall be kept in a nationalized or Scheduled Bank.

(7) Permanent statutory Fund, General Fund and Development Fund shall be audited by the Chartered Accountant and annual Statement of accounts along with Audit report and its compliance shall be annually submitted to the State Government through the Director of Collegiate Education.

9. Suspension or Dissolution of the University-1) On receipt of the reply from University to the Show Cause Notice referred to in proviso of sub-section (4) of section 58 of the Act, if the Government is satisfied that there is a prima-facie case of contravention of all or any of the provisions of the Act or the Rules, Statutes and Ordinances made there under or of contravention of the directions issued by it under the Act or of financial mismanagement or mal administration or indiscipline, it shall make an order of such enquiry, as it may consider necessary.

(2) The Government shall, for the purpose any inquiry under sub-section(1) institute a Commission of inquiry headed by retired Supreme Court or High Court Judge to enquire into any of the allegations and to make report thereon.

(3) On receipt of the enquiry report from the officer appointed under sub-section (2), if the Government is satisfied that the University has contravened all or any of the provisions of this Act or the rules, statutes, or ordinances made thereunder or has violated any of the directions issued by it under this Act or has ceased to carry out the powers and functions by it as laid down in section 8 of this Act, or, a situation of financial mis-management and mal-administration has arisen in the University which threatens the academic standard of the University, it shall issue a preliminary order for the liquidation of the University and appoint an administrator.

(4) The administrator appointed under sub-section (3), shall have all the powers and be subject to all the duties of the Governing Body and the Board of Management under the Act and shall administer the affairs of the University until the last batch of the students of the regular courses have completed their courses and they have been awarded degrees, diplomas or awards, as the case may be.

(5) After having corrected the mis-management or awarded the degrees, diplomas or awards, as the case may be, to the last batches of students of the regular courses, the administrator shall make a report to the Government.

(6) On receipt of the report under sub-section (5), the Government shall, by notification in the official Gazette, issue a final order dissolving the University and from the date of publication of such notification, the University shall stand dissolved and all the assets and liabilities of the University shall vest in the Sponsoring Body from such date.

(7) It shall be competent for the Government to take action as per the provisions of the Act on such dissolution and run the university in the public interest and in the interest of the students till the students are provided all facilities to complete their courses and get their degrees or diplomas.

By Order and in the name of
Governor of Karnataka

(MAHESH R)
Under Secretary to Government
Higher Education Department (Universities-2)

PR-92

DEPARTMENT OF HIGHER EDUCATION, GOVERNMENT OF KARNATAKA NOTIFICATION

No. ED 83 URC 2019, Dated: 18-12-2019

In exercise of the powers conferred by sub-section (1) of section 61 of the Dayananda Sagar University Act-2012 (Karnataka Act No.20 of 2013), the Government of Karnataka hereby makes the following rules, namely:-

1. Title and commencement- (1) These rules may be called the Dayananda Sagar University Rules, 2019.

(2) They shall come into force with effect from the date of their publication in the official Gazette.

2. Definitions.- (1) In this Rules, unless the context otherwise requires-

(a) “Act” means the Dayananda Sagar University Act, 2012 (Karnataka Act No.20 of 2013),

(b) “Section” means section of the Act;

(c) “Council” means the Karnataka State Higher Education Council;

(2) The words and expressions used in these rules but not defined shall have the same meanings as assigned to them in that Act.

3. Salary and Allowances and Conditions of Service of Officers and employees of the University- (1) The salary and allowances payable to the teaching faculty shall be on par with the U.G.C Pay scales.

(2) The salary and allowances of other employees shall be on par with the other State Government Employees of equivalent rank.

(3) The method of recruitment of teaching staff shall be in accordance with the U.G.C regulations issued from time to time in respect of non-teaching staff shall be in accordance with merit and with recruitment policy of State Government as the case may be.

4. Institution of New Courses in the University-(1) The University shall send a proposal along with the approval of the Sponsoring Body and the Board of Governors to the Council well before the commencement of the each academic year for starting of new courses as per the course specification of U.G.C, A.I.C.T.E and other National Accreditation Bodies as the case may be.

Provided that Sponsoring Body and the Board of Governors before approving the proposal of institution of new courses, shall ensure requisite additional facilities having been created and requisite staff having been appointed as per the norms and standards of concerns Regulatory Authorities.

(2) On receipt of the application under sub-rule (1), the Council shall direct an inspection to be made by expert committee.

Provided the expert committee constituted by the Council shall consist of atleast one former Vice-Chancellor of State Public University.

(3) The Executive Director, the Council shall submit the application and its transcripts and the report of the expert committee to the State Government for taking a decision thereon.

(4) The State Government shall consider such applications in the light of recommendation of the expert committee and after such enquiry as may appear to it to be essential, shall permit the University to start new courses or reject the proposal as the case may be, including the variation in the intake.

(5) Any application made under sub-rule (1) may be withdrawn by the University at any time before a permission or rejection is made under sub-rule (4).

5. Closure of existing Courses in the University-(1) The University if intends to close down the existing course in view of its in capacity or financial viability or dearth of admissions shall submit application to the State Government in writing of not less than 3 months prior to intended closure of the course, stating the reasons therefor;

(2) The State Government on consideration of the same shall issue directions either to permit the closure or to reject the closure to the University.

(3) The University shall not close the courses during the currency of the academic year and until the last batch of students in the course complete their course of studies and annual examinations conducted by it in respect of course of study or over.

6. Enhancement and reduction of the Courses.-

The provisions of rule (4) shall mutatis mutandis apply for enhancement or reduction in intake of the courses in the University.

7. Powers of State Government to inspect and issue Directions- 1) For the purpose of ascertaining the standards of teaching, examination and research or any other matter relating to the University, the Government may, after consultation with Vice-Chancellor, cause an assessment to be made by the Expert Committee constituted by the Government consisting of 3 eminent Educationist, one of them shall be Former Vice-Chancellor of State Public University.

(2) On receipt of the report from the Expert Committee, the Government shall communicate its recommendations in regard to result of assessment for corrective action and the University shall take the corrective measures as are necessary so as to ensure the compliance of the recommendations. If the University fails to comply with the recommendations made under sub-section(2), within a reasonable time the Government may give such directions as it may deem fit which shall be binding on the University.

8. Permanent Statutory Endowment Fund:- (1) The Permanent Statutory endowment fund shall be pledged in the name of Director, Collegiate Education, Karnataka, who shall also be the custodian for all documents and instruments related to the permanent statutory endowment fund and its investment in a Nationalized Bank in accordance with the provisions of the Act.

(2) In case the University or the sponsoring body contravenes any of the provisions of the Act, Statutes, Ordinance, regulations or rules made there under, a part or whole of the endowment fund may be forfeited by the Government but before such Forfeiture, a show cause notice shall be served by the Government on the sponsoring body or the University, as the case may be;

(3) the Government shall, among other things, duly consider the reply submitted by the sponsoring body or the University.

(4) In case the reply to show cause notice issued under sub-rule (2) is not submitted by the sponsoring body or the University within 45 days of the notice, the government may decide the case without waiting for such reply.

(5) the forfeited amount of permanent endowment fund shall vest in the government and it shall be used in the manner to be specified by the Government at the time of forfeiture.

(6) All other funds called General Fund under section 49 and Development Fund under section 50 shall be maintained in double entry Book keeping method, and shall be kept in a nationalized or Scheduled Bank.

(7) Permanent statutory Fund, General Fund and Development Fund shall be audited by the Chartered Accountant and annual Statement of accounts along with Audit report and its compliance shall be annually submitted to the State Government through the Director of Collegiate Education.

9. Suspension or Dissolution of the University-1) On receipt of the reply from University to the Show Cause Notice referred to in proviso of sub-section (4) of section 58 of the Act, if the Government is satisfied that there is a prima-facie case of contravention of all or any of the provisions of the Act or the Rules, Statutes and Ordinances made there under or of contravention of the directions issued by it under the Act or of financial mismanagement or mal administration or indiscipline, it shall make an order of such enquiry, as it may consider necessary.

(2) The Government shall, for the purpose any inquiry under sub-section(1) institute a Commission of inquiry headed by retired Supreme Court or High Court Judge to enquire into any of the allegations and to make report thereon.

(3) On receipt of the enquiry report from the officer appointed under sub-section (3), if the Government is satisfied that the University has contravened all or any of the provisions of this Act or the rules, statutes, or ordinances made thereunder or has violated any of the directions issued by it under this Act or has ceased to carry out the powers and functions by it as laid down in section 8 of this Act, or, a situation of financial mis-management and mal-administration has arisen in the University which threatens the academic standard of the University, it shall issue a preliminary order for the liquidation of the University and appoint an administrator.

(4) The administrator appointed under sub-section (3), shall have all the powers and be subject to all the duties of the Governing Body and the Board of Management under the Act and shall administer the affairs of the University until the last batch of the students of the regular courses have completed their courses and they have been awarded degrees, diplomas or awards, as the case may be.

(5) After having corrected the mis-management or awarded the degrees, diplomas or awards, as the case may be, to the last batches of students of the regular courses, the administrator shall make a report to the Government.

(6) On receipt of the report under sub-section (5), the Government shall, by notification in the official Gazette, issue a final order dissolving the University and from the date of publication of such notification, the University shall stand dissolved and all the assets and liabilities of the University shall vest in the Sponsoring Body from such date.

(7) It shall be competent for the Government to take action as per the provisions of the Act on such dissolution and run the university in the public interest and in the interest of the students till the students are provided all facilities to complete their courses and get their degrees or diplomas.

By Order and in the name of
Governor of Karnataka

(MAHESH R)

Under Secretary to Government
Higher Education Department (Universities-2)

PR-93

DEPARTMENT OF HIGHER EDUCATION, GOVERNMENT OF KARNATAKA

NOTIFICATION

No. ED 90 URC 2019, Dated: 18-12-2019

In exercise of the powers conferred by sub-section (1) of section 62 of the Khaja Bandanawaz University Act-2018 (Karnataka Act No.18 of 2018), the Government of Karnataka hereby makes the following rules, namely:-

1. Title and commencement- (1) These rules may be called the Khaja Bandanawaz University Rules, 2019.

(2) They shall come into force with effect from the date of their publication in the official Gazette.

2. Definitions.- In this Rules, unless the context otherwise requires-

(a) “Act” means the Khaja Bandanawaz University Act, 2018 (Karnataka Act No.18 of 2018);

(b) “Section” means section of the Act;

(c) “Council” means the Karnataka State Higher Education Council;

(2) The words and expressions used these rules but not defined shall have the same meanings as assigned to them in that Act.

3. Salary and Allowances and Conditions of Service of Officers and employees of the University- (1) The salary and allowances payable to the teaching faculty shall be on par with the U.G.C Pay scales.

(2) The salary and allowances of other employees shall be on par with the other State Government Employees of equivalent rank.

(3) The method of recruitment of teaching staff shall be in accordance with the U.G.C regulations issued from time to time in respect of non-teaching staff shall be in accordance with merit and with recruitment policy of State Government as the case may be.

4. Institution of New Courses in the University-(1) The University shall send a proposal along with the approval of the Sponsoring Body and the Board of Governors to the Council well before the commencement of the each academic year for starting of new courses as per the course specification of U.G.C, A.I.C.T.E and other National Accreditation Bodies as the case may be.

Provided that Sponsoring Body and the Board of Governors before approving the proposal of institution of new courses, shall ensure requisite additional facilities having been created and requisite staff having been appointed as per the norms and standards of concerns Regulatory Authorities.

(2) On receipt of the application under sub-rule (1), the Council shall direct an inspection to be made by expert committee.

Provided the expert committee constituted by the Council shall consist of atleast one former Vice-Chancellor of State Public University.

(3) The Executive Director, the Council shall submit the application and its transcripts and the report of the expert committee to the State Government for taking a decision thereon.

(4) The State Government shall consider such applications in the light of recommendation of the expert committee and after such enquiry as may appear to it to be essential, shall permit the University to start new courses or reject the proposal as the case may be, including the variation in the intake.

(5) Any application made under sub-rule (1) may be withdrawn by the University at any time before a permission or rejection is made under sub-rule (4).

5. Closure of existing Courses in the University-(1) The University if intends to close down the existing course in view of its in capacity or financial viability or dearth of admissions shall submit application to the State Government in writing of not less than 3 months prior to intended closure of the course, stating the reasons therefor;

(2) The State Government on consideration of the same shall issue directions either to permit the closure or to reject the closure to the University.

(3) The University shall not close the courses during the currency of the academic year and until the last batch of students in the course complete their course of studies and annual examinations conducted by it in respect of course of study or over.

6. Enhancement and reduction of the Courses.-

The provisions of rule (4) shall mutatis mutandis apply for enhancement or reduction in intake of the courses in the University.

7. Powers of State Government to inspect and issue Directions- 1) For the purpose of ascertaining the standards of teaching, examination and research or any other matter relating to the University, the Government may, after consultation with Vice-Chancellor, cause an assessment to be made by the Expert Committee constituted by the Government consisting of 3 eminent Educationist, one of them shall be Former Vice-Chancellor of State Public University.

(2) On receipt of the report from the Expert Committee, the Government shall communicate its recommendations in regard to result of assessment for corrective action and the University shall take the corrective measures as are necessary so as to ensure the compliance of the recommendations. If the University fails to comply with the recommendations made under sub-section(2), within a reasonable time the Government may give such directions as it may deem fit which shall be binding on the University.

8. Permanent Statutory Endowment Fund:- (1) The Permanent Statutory endowment fund shall be pledged in the name of Director, Collegiate Education, Karnataka, who shall also be the custodian for all documents and instruments related to the permanent statutory endowment fund and its investment in a Nationalized Bank in accordance with the provisions of the Act.

(2) In case the University or the sponsoring body contravenes any of the provisions of the Act, Statutes, Ordinance, regulations or rules made there under, a part or whole of the endowment fund may be forfeited by the Government but before such Forfeiture, a show cause notice shall be served by the Government on the sponsoring body or the University, as the case may be;

(3) the Government shall, among other things, duly consider the reply submitted by the sponsoring body or the University.

(4) In case the reply to show cause notice issued under sub-rule (2) is not submitted by the sponsoring body or the University within 45 days of the notice, the government may decide the case without waiting for such reply.

(5) the forfeited amount of permanent endowment fund shall vest in the government and it shall be used in the manner to be specified by the Government at the time of forfeiture.

(6) All other funds called General Fund under section 50 and Development Fund under section 51 shall be maintained in double entry Book keeping method, and shall be kept in a nationalized or Scheduled Bank.

(7) Permanent statutory Fund, General Fund and Development Fund shall be audited by the Chartered Accountant and annual Statement of accounts along with Audit report and its compliance shall be annually submitted to the State Government through the Director of Collegiate Education.

9. Suspension or Dissolution of the University-1) On receipt of the reply from University to the Show Cause Notice referred to in proviso of sub-section (4) of section 59 of the Act, if the Government is satisfied that there is a prima-facie case of contravention of all or any of the provisions of the Act or the Rules, Statutes and Ordinances made there under or of contravention of the directions issued by it under the Act or of financial mismanagement or mal administration or indiscipline, it shall make an order of such enquiry, as it may consider necessary.

(2) The Government shall, for the purpose any inquiry under sub-section(1) institute a Commission of inquiry headed by retired Supreme Court or High Court Judge to enquire into any of the allegations and to make report thereon.

(3) On receipt of the enquiry report from the officer appointed under sub-section (2), if the Government is satisfied that the University has contravened all or any of the provisions of this Act or the rules, statutes, or ordinances made thereunder or has violated any of the directions issued by it under this Act or has ceased to carry out the powers and functions by it as laid down in section 8 of this Act, or, a situation of financial mis-management and mal-administration has arisen in the University which threatens the academic standard of the University, it shall issue a preliminary order for the liquidation of the University and appoint an administrator.

(4) The administrator appointed under sub-section (3), shall have all the powers and be subject to all the duties of the Governing Body and the Board of Management under the Act and shall administer the affairs of the University until the last batch of the students of the regular courses have completed their courses and they have been awarded degrees, diplomas or awards, as the case may be.

(5) After having corrected the mis-management or awarded the degrees, diplomas or awards, as the case may be, to the last batches of students of the regular courses, the administrator shall make a report to the Government.

(6) On receipt of the report under sub-section (5), the Government shall, by notification in the official Gazette, issue a final order dissolving the University and from the date of publication of such notification, the University shall stand dissolved and all the assets and liabilities of the University shall vest in the Sponsoring Body from such date.

(7) It shall be competent for the Government to take action as per the provisions of the Act on such dissolution and run the university in the public interest and in the interest of the students till the students are provided all facilities to complete their courses and get their degrees or diplomas.

By Order and in the name of
Governor of Karnataka

(MAHESH R)

Under Secretary to Government
Higher Education Department (Universities-2)

PR-94

DEPARTMENT OF HIGHER EDUCATION, GOVERNMENT OF KARNATAKA

NOTIFICATION

No. ED 97 URC 2019, Dated: 18-12-2019

In exercise of the powers conferred by sub-section (1) of section 61 of the Presidency University Act-2013 (Karnataka Act No.41 of 2013), the Government of Karnataka hereby makes the following rules, namely:-

1. Title and commencement- (1) These rules may be called the Presidency University Rules, 2019.

(2) They shall come into force with effect from the date of their publication in the official Gazette.

2. Definitions.- In this Rules, unless the context otherwise requires-

(a) "Act" means the Presidency University Act, 2013 (Karnataka Act No.41 of 2013);

(b) "Section" means section of the Act;

(c) "Council" means the Karnataka Higher Education Council;

(2) The words and expressions used these rules but not defined shall have the same meanings as assigned to them in that Act.

3. Salary and Allowances and Conditions of Service of Officers and employees of the University- (1) The salary and allowances payable to the teaching faculty shall be on par with the U.G.C Pay scales.

(2) The salary and allowances of other employees shall be on par with the other State Government Employees of equivalent rank.

(3) The method of recruitment of teaching staff shall be in accordance with the U.G.C regulations issued from time to time in respect of non-teaching staff shall be in

accordance with merit and with recruitment policy of State Government as the case may be.

4. Institution of New Courses in the University-(1) The University shall send a proposal along with the approval of the Sponsoring Body and the Board of Governors to the Council well before the commencement of the each academic year for starting of new courses as per the course specification of U.G.C, A.I.C.T.E and other National Accreditation Bodies as the case may be.

Provided that Sponsoring Body and the Board of Governors before approving the proposal of institution of new courses, shall ensure requisite additional facilities having been created and requisite staff having been appointed as per the norms and standards of concerns Regulatory Authorities.

(2) On receipt of the application under sub-rule (1), the Council shall direct an inspection to be made by expert committee.

Provided the expert committee constituted by the Council shall consist of atleast one former Vice-Chancellor of State Public University.

(3) The Executive Director, the Council shall submit the application and its transcripts and the report of the expert committee to the State Government for taking a decision thereon.

(4) The State Government shall consider such applications in the light of recommendation of the expert committee and after such enquiry as may appear to it to be essential, shall permit the University to start new courses or reject the proposal as the case may be, including the variation in the intake.

(5) Any application made under sub-rule (1) may be withdrawn by the University at any time before a permission or rejection is made under sub- rule (4).

5. Closure of existing Courses in the University-(1) The University if intends to close down the existing course in view of its in capacity or financial viability or dearth of admissions shall submit application to the State Government in writing of not less than 3 months prior to intended closure of the course, stating the reasons therefor;

(2) The State Government on consideration of the same shall issue directions either to permit the closure or to reject the closure to the University.

(3) The University shall not close the courses during the currency of the academic year and until the last batch of students in the course complete their course of studies and annual examinations conducted by it in respect of course of study or over.

6. Enhancement and reduction of the Courses.-

The provisions of rule (4) shall mutatis mutandis apply for enhancement or reduction in intake of the courses in the University.

7. Powers of State Government to inspect and issue Directions- 1) For the purpose of ascertaining the standards of teaching, examination and research or any other matter relating to the University, the Government may, after consultation with Vice-Chancellor, cause an assessment to be made by the Expert Committee constituted by the Government consisting of 3 eminent Educationist, one of them shall be Former Vice-Chancellor of State Public University.

(2) On receipt of the report from the Expert Committee, the Government shall communicate its recommendations in regard to result of assessment for corrective action and the University shall take the corrective measures as are necessary so as to ensure the compliance of the recommendations. If the University fails to comply with the recommendations made under sub-section(2), within a reasonable time the Government may give such directions as it may deem fit which shall be binding on the University.

8. Permanent Statutory Endowment Fund:- (1) The Permanent Statutory endowment fund shall be pledged in the name of Director, Collegiate Education, Karnataka, who shall also be the custodian for all documents and instruments related to the permanent statutory endowment fund and its investment in a Nationalized Bank in accordance with the provisions of the Act.

(2) In case the University or the sponsoring body contravenes any of the provisions of the Act, Statutes, Ordinance, regulations or rules made there under, a part or whole of the endowment fund may be forfeited by the Government but before such Forfeiture, a show cause notice shall be served by the Government on the sponsoring body or the University, as the case may be;

(3) the Government shall, among other things, duly consider the reply submitted by the sponsoring body or the University.

(4) In case the reply to show cause notice issued under sub-rule (2) is not submitted by the sponsoring body or the University within 45 days of the notice, the government may decide the case without waiting for such reply.

(5) the forfeited amount of permanent endowment fund shall vest in the government and it shall be used in the manner to be specified by the Government at the time of forfeiture.

(6) All other funds called General Fund under section 49 and Development Fund under section 50 shall be maintained in double entry Book keeping method, and shall be kept in a nationalized or Scheduled Bank.

(7) Permanent statutory Fund, General Fund and Development Fund shall be audited by the Chartered Accountant and annual Statement of accounts along with Audit report and its compliance shall be annually submitted to the State Government through the Director of Collegiate Education.

9. Suspension or Dissolution of the University-1) On receipt of the reply from University to the Show Cause Notice referred to in proviso of sub-section (4) of section 58 of the Act, if the Government is satisfied that there is a prima-facie case of contravention of all or any of the provisions of the Act or the Rules, Statutes and Ordinances made there under or of contravention of the directions issued by it under the Act or of financial mismanagement or mal administration or indiscipline, it shall make an order of such enquiry, as it may consider necessary.

(2) The Government shall, for the purpose any inquiry under sub-section(1) institute a Commission of inquiry headed by retired Supreme Court or High Court Judge to enquire into any of the allegations and to make report thereon.

(3) On receipt of the enquiry report from the officer appointed under sub-section (2), if the Government is satisfied that the University has contravened all or any of the provisions of this Act or the rules, statutes, or ordinances made thereunder or has violated any of the directions issued by it under this Act or has ceased to carry out the powers and functions by it as laid down in section 8 of this Act, or, a situation of financial mis-management and mal-administration has arisen in the University which threatens the academic standard of thee University, it shall issue a preliminary order for the liquidation of the University and appoint an administrator.

(4) The administrator appointed under sub-section (3), shall have all the powers and be subject to all the duties of the Governing Body and the Board of Management under the Act and shall administer the affairs of the University until the last batch of the students of the regular courses have completed their courses and they have been awarded degrees, diplomas or awards, as the case may be.

(5) After having corrected the mis-management or awarded the degrees, diplomas or awards, as the case may be, to the last batches of students of the regular courses, the administrator shall make a report to the Government.

(6) On receipt of the report under sub-section (5), the Government shall, by notification in the official Gazette, issue a final order dissolving the University and from the date of publication of such notification, the University shall stand dissolved and all the assets and liabilities of the University shall vest in the Sponsoring Body from such date.

(7) It shall be competent for the Government to take action as per the provisions of the Act on such dissolution and run the university in the public interest and in the interest of the students till the students are provided all facilities to complete their courses and get their degrees or diplomas.

By Order and in the name of
Governor of Karnataka

(MAHESH R)

Under Secretary to Government
Higher Education Department (Universities-2)

PR-95

DEPARTMENT OF HIGHER EDUCATION, GOVERNMENT OF KARNATAKA

NOTIFICATION

No. ED 104 URC 2019, Dated:18-12-2019

In exercise of the powers conferred by sub-section (1) of section 61 of the Vellure Institute Of Technology Bangalore Act-2012 (Karnataka Act No.14 of 2013), the Government of Karnataka hereby makes the following rules, namely:-

1. Title and commencement- (1) These rules may be called the Vellure Institute Of Technology Bangalore Rules, 2019.

(2) They shall come into force with effect from the date of their publication in the official Gazette.

2. Definitions.- In this Rules, unless the context otherwise requires-

(a) “Act” means the Vellure Institute Of Technology Bangalore Act, 2012, (Karnataka Act No.14 of 2013);

(b) “Section” means section of the Act;

(c) “Council” means the Karnataka State Higher Education Council;

(2) The words and expressions used these rules but not defined shall have the same meanings as assigned to them in that Act.

3. Salary and Allowances and Conditions of Service of Officers and employees of the University- (1) The salary and allowances payable to the teaching faculty shall be on par with the U.G.C Pay scales.

(2) The salary and allowances of other employees shall be on par with the other State Government Employees of equivalent rank.

(3) The method of recruitment of teaching staff shall be in accordance with the U.G.C regulations issued from time to time in respect of non-teaching staff shall be in

accordance with merit and with recruitment policy of State Government as the case may be.

4. Institution of New Courses in the University-(1) The University shall send a proposal along with the approval of the Sponsoring Body and the Board of Governors to the Council well before the commencement of the each academic year for starting of new courses as per the course specification of U.G.C, A.I.C.T.E and other National Accreditation Bodies as the case may be.

Provided that Sponsoring Body and the Board of Governors before approving the proposal of institution of new courses, shall ensure requisite additional facilities having been created and requisite staff having been appointed as per the norms and standards of concerns Regulatory Authorities.

(2) On receipt of the application under sub-rule (1), the Council shall direct an inspection to be made by expert committee.

Provided the expert committee constituted by the Council shall consist of atleast one former Vice-Chancellor of State Public University.

(3) The Executive Director, the Council shall submit the application and its transcripts and the report of the expert committee to the State Government for taking a decision thereon.

(4) The State Government shall consider such applications in the light of recommendation of the expert committee and after such enquiry as may appear to it to be essential, shall permit the University to start new courses or reject the proposal as the case may be, including the variation in the intake.

(5) Any application made under sub-rule (1) may be withdrawn by the University at any time before a permission or rejection is made under sub- rule (4).

5. Closure of existing Courses in the University-(1) The University if intends to close down the existing course in view of its in capacity or financial viability or dearth of admissions shall submit application to the State Government in writing of not less than 3 months prior to intended closure of the course, stating the reasons therefor;

(2) The State Government on consideration of the same shall issue directions either to permit the closure or to reject the closure to the University.

(3) The University shall not close the courses during the currency of the academic year and until the last batch of students in the course complete their course of studies and annual examinations conducted by it in respect of course of study or over.

6. Enhancement and reduction of the Courses.-

The provisions of rule (4) shall mutatis mutandis apply for enhancement or reduction in intake of the courses in the University.

7. Powers of State Government to inspect and issue Directions- 1) For the purpose of ascertaining the standards of teaching, examination and research or any other matter relating to the University, the Government may, after consultation with Vice-Chancellor, cause an assessment to be made by the Expert Committee constituted by the Government consisting of 3 eminent Educationist, one of them shall be Former Vice-Chancellor of State Public University.

(2) On receipt of the report from the Expert Committee, the Government shall communicate its recommendations in regard to result of assessment for corrective action and the University shall take the corrective measures as are necessary so as to ensure the compliance of the recommendations. If the University fails to comply with the recommendations made under sub-section(2), within a reasonable time the Government may give such directions as it may deem fit which shall be binding on the University.

8. Permanent Statutory Endowment Fund:- (1) The Permanent Statutory endowment fund shall be pledged in the name of Director, Collegiate Education, Karnataka, who shall also be the custodian for all documents and instruments related to the permanent statutory endowment fund and its investment in a Nationalized Bank in accordance with the provisions of the Act.

(2) In case the University or the sponsoring body contravenes any of the provisions of the Act, Statutes, Ordinance, regulations or rules made there under, a part or whole of the endowment fund may be forfeited by the Government but before such Forfeiture, a show cause notice shall be served by the Government on the sponsoring body or the University, as the case may be;

(3) the Government shall, among other things, duly consider the reply submitted by the sponsoring body or the University.

(4) In case the reply to show cause notice issued under sub-rule (2) is not submitted by the sponsoring body or the University within 45 days of the notice, the government may decide the case without waiting for such reply.

(5) the forfeited amount of permanent endowment fund shall vest in the government and it shall be used in the manner to be specified by the Government at the time of forfeiture.

(6) All other funds called General Fund under section 49 and Development Fund under section 50 shall be maintained in double entry Book keeping method, and shall be kept in a nationalized or Scheduled Bank.

(7) Permanent statutory Fund, General Fund and Development Fund shall be audited by the Chartered Accountant and annual Statement of accounts along with Audit report and its compliance shall be annually submitted to the State Government through the Director of Collegiate Education.

9. Suspension or Dissolution of the University-1) On receipt of the reply from University to the Show Cause Notice referred to in proviso of sub-section (4) of section 58 of the Act, if the Government is satisfied that there is a prima-facie case of contravention of all or any of the provisions of the Act or the Rules, Statutes and Ordinances made there under or of contravention of the directions issued by it under the Act or of financial mismanagement or mal administration or indiscipline, it shall make an order of such enquiry, as it may consider necessary.

(2) The Government shall, for the purpose any inquiry under sub-section(1) institute a Commission of inquiry headed by retired Supreme Court or High Court Judge to enquire into any of the allegations and to make report thereon.

(3) On receipt of the enquiry report from the officer appointed under sub-section (2), if the Government is satisfied that the University has contravened all or any of the provisions of this Act or the rules, statutes, or ordinances made thereunder or has violated any of the directions issued by it under this Act or has ceased to carry out the powers and functions by it as laid down in section 8 of this Act, or, a situation of financial mis-management and mal-administration has arisen in the University which threatens the academic standard of thee University, it shall issue a preliminary order for the liquidation of the University and appoint an administrator.

(4) The administrator appointed under sub-section (3), shall have all the powers and be subject to all the duties of the Governing Body and the Board of Management under the Act and shall administer the affairs of the University until the last batch of the students of the regular courses have completed their courses and they have been awarded degrees, diplomas or awards, as the case may be.

(5) After having corrected the mis-management or awarded the degrees, diplomas or awards, as the case may be, to the last batches of students of the regular courses, the administrator shall make a report to the Government.

(6) On receipt of the report under sub-section (5), the Government shall, by notification in the official Gazette, issue a final order dissolving the University and from the date of publication of such notification, the University shall stand dissolved and all the assets and liabilities of the University shall vest in the Sponsoring Body from such date.

(7) It shall be competent for the Government to take action as per the provisions of the Act on such dissolution and run the university in the public interest and in the interest of the students till the students are provided all facilities to complete their courses and get their degrees or diplomas.

By Order and in the name of
Governor of Karnataka

(MAHESH R)
Under Secretary to Government
Higher Education Department (Universities-2)

PR-96

DEPARTMENT OF HIGHER EDUCATION, GOVERNMENT OF KARNATAKA NOTIFICATION

No. ED 102 URC 2019, Dated:18-12-2019

In exercise of the powers conferred by sub-section (1) of section 62 of the Sri Sathya Sai University for Human Excellence Act-2018 (Karnataka Act No.17 of 2018), the Government of Karnataka hereby makes the following rules, namely:-

1. Title and commencement- (1) These rules may be called the Sri Sathya Sai University for Human Excellence University Rules, 2019.

(2) They shall come into force with effect from the date of their publication in the official Gazette.

2. Definitions.- (1) In this Rules, unless the context otherwise requires-

(a) “Act” means the Sri Sathya Sai University for Human Excellence University Act, 2018(Karnataka Act No.17 of 2018).

(b) “Section” means section of the Act;

(c) “Council” means the Karnataka State Higher Education Council;

(2) The words and expressions used these rules but not defined shall have the same meanings as assigned to them in that Act.

3. Salary and Allowances and Conditions of Service of Officers and employees of the University- (1) The salary and allowances payable to the teaching faculty shall be on par with the U.G.C Pay scales.

(2) The salary and allowances of other employees shall be on par with the other State Government Employees of equivalent rank.

(3) The method of recruitment of teaching staff shall be in accordance with the U.G.C regulations issued from time to time in respect of non-teaching staff shall be in

accordance with merit and with recruitment policy of State Government as the case may be.

4. Institution of New Courses in the University-(1) The University shall send a proposal along with the approval of the Sponsoring Body and the Board of Governors to the Council well before the commencement of the each academic year for starting of new courses as per the course specification of U.G.C, A.I.C.T.E and other National Accreditation Bodies as the case may be.

Provided that Sponsoring Body and the Board of Governors before approving the proposal of institution of new courses, shall ensure requisite additional facilities having been created and requisite staff having been appointed as per the norms and standards of concerns Regulatory Authorities.

(2) On receipt of the application under sub-rule (1), the Council shall direct an inspection to be made by expert committee.

Provided the expert committee constituted by the Council shall consist of atleast one former Vice-Chancellor of State Public University.

(3) The Executive Director, the Council shall submit the application and its transcripts and the report of the expert committee to the State Government for taking a decision thereon.

(4) The State Government shall consider such applications in the light of recommendation of the expert committee and after such enquiry as may appear to it to be essential, shall permit the University to start new courses or reject the proposal as the case may be, including the variation in the intake.

(5) Any application made under sub-rule (1) may be withdrawn by the University at any time before a permission or rejection is made under sub- rule (4).

5. Closure of existing Courses in the University-(1) The University if intends to close down the existing course in view of its in capacity or financial viability or dearth of admissions shall submit application to the State Government in writing of not less than 3 months prior to intended closure of the course, stating the reasons therefor;

(2) The State Government on consideration of the same shall issue directions either to permit the closure or to reject the closure to the University.

(3) The University shall not close the courses during the currency of the academic year and until the last batch of students in the course complete their course of studies and annual examinations conducted by it in respect of course of study or over.

6. Enhancement and reduction of the Courses.-

The provisions of rule (4) shall mutatis mutandis apply for enhancement or reduction in intake of the courses in the University.

7. Powers of State Government to inspect and issue Directions- 1) For the purpose of ascertaining the standards of teaching, examination and research or any other matter relating to the University, the Government may, after consultation with Vice-Chancellor, cause an assessment to be made by the Expert Committee constituted by the Government consisting of 3 eminent Educationist, one of them shall be Former Vice-Chancellor of State Public University.

(2) On receipt of the report from the Expert Committee, the Government shall communicate its recommendations in regard to result of assessment for corrective action and the University shall take the corrective measures as are necessary so as to ensure the compliance of the recommendations. If the University fails to comply with the recommendations made under sub-section(2), within a reasonable time the Government may give such directions as it may deem fit which shall be binding on the University.

8. Permanent Statutory Endowment Fund:- (1) The Permanent Statutory endowment fund shall be pledged in the name of Director, Collegiate Education, Karnataka, who shall also be the custodian for all documents and instruments related to the permanent statutory endowment fund and its investment in a Nationalized Bank in accordance with the provisions of the Act.

(2) In case the University or the sponsoring body contravenes any of the provisions of the Act, Statutes, Ordinance, regulations or rules made there under, a part or whole of the endowment fund may be forfeited by the Government but before such Forfeiture, a show cause notice shall be served by the Government on the sponsoring body or the University, as the case may be;

(3) the Government shall, among other things, duly consider the reply submitted by the sponsoring body or the University.

(4) In case the reply to show cause notice issued under sub-rule (2) is not submitted by the sponsoring body or the University within 45 days of the notice, the government may decide the case without waiting for such reply.

(5) the forfeited amount of permanent endowment fund shall vest in the government and it shall be used in the manner to be specified by the Government at the time of forfeiture.

(6) All other funds called General Fund under section 49 and Development Fund under section 50 shall be maintained in double entry Book keeping method, and shall be kept in a nationalized or Scheduled Bank.

(7) Permanent statutory Fund, General Fund and Development Fund shall be audited by the Chartered Accountant and annual Statement of accounts along with Audit report and its compliance shall be annually submitted to the State Government through the Director of Collegiate Education.

9. Suspension or Dissolution of the University-1) On receipt of the reply from University to the Show Cause Notice referred to in proviso of sub-section (4) of section 58 of the Act, if the Government is satisfied that there is a prima-facie case of contravention of all or any of the provisions of the Act or the Rules, Statutes and Ordinances made there under or of contravention of the directions issued by it under the Act or of financial mismanagement or mal administration or indiscipline, it shall make an order of such enquiry, as it may consider necessary.

(2) The Government shall, for the purpose any inquiry under sub-section(1) institute a Commission of inquiry headed by retired Supreme Court or High Court Judge to enquire into any of the allegations and to make report thereon.

(3) On receipt of the enquiry report from the officer appointed under sub-section (3), if the Government is satisfied that the University has contravened all or any of the provisions of this Act or the rules, statutes, or ordinances made thereunder or has violated any of the directions issued by it under this Act or has ceased to carry out the powers and functions by it as laid down in section 8 of this Act, or, a situation of financial mis-management and mal-administration has arisen in the University which threatens the academic standard of the University, it shall issue a preliminary order for the liquidation of the University and appoint an administrator.

(4) The administrator appointed under sub-section (3), shall have all the powers and be subject to all the duties of the Governing Body and the Board of Management under the Act and shall administer the affairs of the University until the last batch of the students of the regular courses have completed their courses and they have been awarded degrees, diplomas or awards, as the case may be.

(5) After having corrected the mis-management or awarded the degrees, diplomas or awards, as the case may be, to the last batches of students of the regular courses, the administrator shall make a report to the Government.

(6) On receipt of the report under sub-section (5), the Government shall, by notification in the official Gazette, issue a final order dissolving the University and from the date of publication of such notification, the University shall stand dissolved and all the assets and liabilities of the University shall vest in the Sponsoring Body from such date.

(7) It shall be competent for the Government to take action as per the provisions of the Act on such dissolution and run the university in the public interest and in the interest of the students till the students are provided all facilities to complete their courses and get their degrees or diplomas.

By Order and in the name of
Governor of Karnataka

(MAHESH R)

Under Secretary to Government
Higher Education Department (Universities-2)

PR-97

DEPARTMENT OF HIGHER EDUCATION, GOVERNMENT OF KARNATAKA NOTIFICATION

No. ED 96 URC 2019, Dated: 18-12-2019

In exercise of the powers conferred by sub-section (1) of section 61 of the Rai Technology University Act-2012 (Karnataka Act No.40 of 2013), the Government of Karnataka hereby makes the following rules, namely:-

1. Title and commencement- (1) These rules may be called the Rai Technology University Rules, 2019.

(2) They shall come into force with effect from the date of their publication in the official Gazette.

2. Definitions.- In this Rules, unless the context otherwise requires-

(a) "Act" means the Rai Technology University Act, 2012 (Karnataka Act No.40 of 2013);

(b) "Section" means section of the Act;

(c) "Council" means the Karnataka Higher Education Council;

(2) The words and expressions used these rules but not defined shall have the same meanings as assigned to them in that Act.

3. Salary and Allowances and Conditions of Service of Officers and employees of the University- (1) The salary and allowances payable to the teaching faculty shall be on par with the U.G.C Pay scales.

(2) The salary and allowances of other employees shall be on par with the other State Government Employees of equivalent rank.

(3) The method of recruitment of teaching staff shall be in accordance with the U.G.C regulations issued from time to time in respect of non-teaching staff shall be in

accordance with merit and with recruitment policy of State Government as the case may be.

4. Institution of New Courses in the University-(1) The University shall send a proposal along with the approval of the Sponsoring Body and the Board of Governors to the Council well before the commencement of the each academic year for starting of new courses as per the course specification of U.G.C, A.I.C.T.E and other National Accreditation Bodies as the case may be.

Provided that Sponsoring Body and the Board of Governors before approving the proposal of institution of new courses, shall ensure requisite additional facilities having been created and requisite staff having been appointed as per the norms and standards of concerns Regulatory Authorities.

(2) On receipt of the application under sub-rule (1), the Council shall direct an inspection to be made by expert committee.

Provided the expert committee constituted by the Council shall consist of atleast one former Vice-Chancellor of State Public University.

(3) The Executive Director, the Council shall submit the application and its transcripts and the report of the expert committee to the State Government for taking a decision thereon.

(4) The State Government shall consider such applications in the light of recommendation of the expert committee and after such enquiry as may appear to it to be essential, shall permit the University to start new courses or reject the proposal as the case may be, including the variation in the intake.

(5) Any application made under sub-rule (1) may be withdrawn by the University at any time before a permission or rejection is made under sub- rule (4).

5. Closure of existing Courses in the University-(1) The University if intends to close down the existing course in view of its in capacity or financial viability or dearth of admissions shall submit application to the State Government in writing of not less than 3 months prior to intended closure of the course, stating the reasons therefor;

(2) The State Government on consideration of the same shall issue directions either to permit the closure or to reject the closure to the University.

(3) The University shall not close the courses during the currency of the academic year and until the last batch of students in the course complete their course of studies and annual examinations conducted by it in respect of course of study or over.

6. Enhancement and reduction of the Courses.-

The provisions of rule (4) shall mutatis mutandis apply for enhancement or reduction in intake of the courses in the University.

7. Powers of State Government to inspect and issue Directions- 1) For the purpose of ascertaining the standards of teaching, examination and research or any other matter relating to the University, the Government may, after consultation with Vice-Chancellor, cause an assessment to be made by the Expert Committee constituted by the Government consisting of 3 eminent Educationist, one of them shall be Former Vice-Chancellor of State Public University.

(2) On receipt of the report from the Expert Committee, the Government shall communicate its recommendations in regard to result of assessment for corrective action and the University shall take the corrective measures as are necessary so as to ensure the compliance of the recommendations. If the University fails to comply with the recommendations made under sub-section(2), within a reasonable time the Government may give such directions as it may deem fit which shall be binding on the University.

8. Permanent Statutory Endowment Fund:- (1) The Permanent Statutory endowment fund shall be pledged in the name of Director, Collegiate Education, Karnataka, who shall also be the custodian for all documents and instruments related to the permanent statutory endowment fund and its investment in a Nationalized Bank in accordance with the provisions of the Act.

(2) In case the University or the sponsoring body contravenes any of the provisions of the Act, Statutes, Ordinance, regulations or rules made there under, a part or whole of the endowment fund may be forfeited by the Government but before such Forfeiture, a show cause notice shall be served by the Government on the sponsoring body or the University, as the case may be;

(3) the Government shall, among other things, duly consider the reply submitted by the sponsoring body or the University.

(4) In case the reply to show cause notice issued under sub-rule (2) is not submitted by the sponsoring body or the University within 45 days of the notice, the government may decide the case without waiting for such reply.

(5) the forfeited amount of permanent endowment fund shall vest in the government and it shall be used in the manner to be specified by the Government at the time of forfeiture.

(6) All other funds called General Fund under section 49 and Development Fund under section 50 shall be maintained in double entry Book keeping method, and shall be kept in a nationalized or Scheduled Bank.

(7) Permanent statutory Fund, General Fund and Development Fund shall be audited by the Chartered Accountant and annual Statement of accounts along with Audit report and its compliance shall be annually submitted to the State Government through the Director of Collegiate Education.

9. Suspension or Dissolution of the University-1) On receipt of the reply from University to the Show Cause Notice referred to in proviso of sub-section (4) of section 58 of the Act, if the Government is satisfied that there is a prima-facie case of contravention of all or any of the provisions of the Act or the Rules, Statutes and Ordinances made there under or of contravention of the directions issued by it under the Act or of financial mismanagement or mal administration or indiscipline, it shall make an order of such enquiry, as it may consider necessary.

(2) The Government shall, for the purpose any inquiry under sub-section(1) institute a Commission of inquiry headed by retired Supreme Court or High Court Judge to enquire into any of the allegations and to make report thereon.

(3) On receipt of the enquiry report from the officer appointed under sub-section (2), if the Government is satisfied that the University has contravened all or any of the provisions of this Act or the rules, statutes, or ordinances made thereunder or has violated any of the directions issued by it under this Act or has ceased to carry out the powers and functions by it as laid down in section 8 of this Act, or, a situation of financial mis-management and mal-administration has arisen in the University which threatens the academic standard of thee University, it shall issue a preliminary order for the liquidation of the University and appoint an administrator.

(4) The administrator appointed under sub-section (3), shall have all the powers and be subject to all the duties of the Governing Body and the Board of Management under the Act and shall administer the affairs of the University until the last batch of the students of the regular courses have completed their courses and they have been awarded degrees, diplomas or awards, as the case may be.

(5) After having corrected the mis-management or awarded the degrees, diplomas or awards, as the case may be, to the last batches of students of the regular courses, the administrator shall make a report to the Government.

(6) On receipt of the report under sub-section (5), the Government shall, by notification in the official Gazette, issue a final order dissolving the University and from the date of publication of such notification, the University shall stand dissolved and all the assets and liabilities of the University shall vest in the Sponsoring Body from such date.

(7) It shall be competent for the Government to take action as per the provisions of the Act on such dissolution and run the university in the public interest and in the interest of the students till the students are provided all facilities to complete their courses and get their degrees or diplomas.

By Order and in the name of
Governor of Karnataka

(MAHESH R)

Under Secretary to Government
Higher Education Department (Universities-2)

PR-98

DEPARTMENT OF HIGHER EDUCATION, GOVERNMENT OF KARNATAKA

NOTIFICATION

No. ED 84 URC 2019, Dated: 18-12-2019

In exercise of the powers conferred by sub-section (1) of section 61 of the C.M.R. University Act-2013 (Karnataka Act No.45 of 2013), the Government of Karnataka hereby makes the following rules, namely:-

1. Title and commencement- (1) These rules may be called the C.M.R. University Rules, 2019.

(2) They shall come into force with effect from the date of their publication in the official Gazette.

2. Definitions.- In this Rules, unless the context otherwise requires-

- (a) "Act" means the C.M.R. University Act, 2013(Karnataka Act No.45 of 2013);
- (b) "Section" means section of the Act;
- (c) "Council" means the Karnataka State Higher Education Council;
- (2) The words and expressions used these rules but not defined shall have the same meanings as assigned to them in that Act.

3. Salary and Allowances and Conditions of Service of Officers and employees of the University- (1) The salary and allowances payable to the teaching faculty shall be on par with the U.G.C Pay scales.

(2) The salary and allowances of other employees shall be on par with the other State Government Employees of equivalent rank.

(3) The method of recruitment of teaching staff shall be in accordance with the U.G.C regulations issued from time to time in respect of non-teaching staff shall be in accordance with merit and with recruitment policy of State Government as the case may be.

4. Institution of New Courses in the University-(1) The University shall send a proposal along with the approval of the Sponsoring Body and the Board of Governors to the Council well before the commencement of the each academic year for starting of new courses as per the course specification of U.G.C, A.I.C.T.E and other National Accreditation Bodies as the case may be.

Provided that Sponsoring Body and the Board of Governors before approving the proposal of institution of new courses, shall ensure requisite additional facilities having been created and requisite staff having been appointed as per the norms and standards of concerns Regulatory Authorities.

(2) On receipt of the application under sub-rule (1), the Council shall direct an inspection to be made by expert committee.

Provided the expert committee constituted by the Council shall consist of atleast one former Vice-Chancellor of State Public University.

(3) The Executive Director, the Council shall submit the application and its transcripts and the report of the expert committee to the State Government for taking a decision thereon.

(4) The State Government shall consider such applications in the light of recommendation of the expert committee and after such enquiry as may appear to it to be essential, shall permit the University to start new courses or reject the proposal as the case may be, including the variation in the intake.

(5) Any application made under sub-rule (1) may be withdrawn by the University at any time before a permission or rejection is made under sub- rule (4).

5. Closure of existing Courses in the University-(1) The University if intends to close down the existing course in view of its in capacity or financial viability or dearth of admissions shall submit application to the State Government in writing of not less than 3 months prior to intended closure of the course, stating the reasons therefor;

(2) The State Government on consideration of the same shall issue directions either to permit the closure or to reject the closure to the University.

(3) The University shall not close the courses during the currency of the academic year and until the last batch of students in the course complete their course of studies and annual examinations conducted by it in respect of course of study or over.

6. Enhancement and reduction of the Courses.-

The provisions of rule (4) shall mutatis mutandis apply for enhancement or reduction in intake of the courses in the University.

7. Powers of State Government to inspect and issue Directions- 1) For the purpose of ascertaining the standards of teaching, examination and research or any other matter relating to the University, the Government may, after consultation with Vice-Chancellor, cause an assessment to be made by the Expert Committee constituted by the Government consisting of 3 eminent Educationist, one of them shall be Former Vice-Chancellor of State Public University.

(2) On receipt of the report from the Expert Committee, the Government shall communicate its recommendations in regard to result of assessment for corrective action and the University shall take the corrective measures as are necessary so as to ensure the compliance of the recommendations. If the University fails to comply with the recommendations made under sub-section(2), within a reasonable time the Government may give such directions as it may deem fit which shall be binding on the University.

8. Permanent Statutory Endowment Fund:- (1) The Permanent Statutory endowment fund shall be pledged in the name of Director, Collegiate Education, Karnataka, who shall also be the custodian for all documents and instruments related to the permanent statutory endowment fund and its investment in a Nationalized Bank in accordance with the provisions of the Act.

(2) In case the University or the sponsoring body contravenes any of the provisions of the Act, Statutes, Ordinance, regulations or rules made there under, a part or whole of the endowment fund may be forfeited by the Government but before such Forfeiture, a show cause notice shall be served by the Government on the sponsoring body or the University, as the case may be;

(3) the Government shall, among other things, duly consider the reply submitted by the sponsoring body or the University.

(4) In case the reply to show cause notice issued under sub-rule (2) is not submitted by the sponsoring body or the University within 45 days of the notice, the government may decide the case without waiting for such reply.

(5) the forfeited amount of permanent endowment fund shall vest in the government and it shall be used in the manner to be specified by the Government at the time of forfeiture.

(6) All other funds called General Fund under section 49 and Development Fund under section 50 shall be maintained in double entry Book keeping method, and shall be kept in a nationalized or Scheduled Bank.

(7) Permanent statutory Fund, General Fund and Development Fund shall be audited by the Chartered Accountant and annual Statement of accounts along with Audit report and its compliance shall be annually submitted to the State Government through the Director of Collegiate Education.

9. Suspension or Dissolution of the University-1) On receipt of the reply from University to the Show Cause Notice referred to in proviso of sub-section (4) of section 58 of the Act, if the Government is satisfied that there is a prima-facie case of contravention of all or any of the provisions of the Act or the Rules, Statutes and Ordinances made there under or of contravention of the directions issued by it under the Act or of financial mismanagement or mal administration or indiscipline, it shall make an order of such enquiry, as it may consider necessary.

(2) The Government shall, for the purpose any inquiry under sub-section(1) institute a Commission of inquiry headed by retired Supreme Court or High Court Judge to enquire into any of the allegations and to make report thereon.

(3) On receipt of the enquiry report from the officer appointed under sub-section (2), if the Government is satisfied that the University has contravened all or any of the provisions of this Act or the rules, statutes, or ordinances made thereunder or has violated any of the directions issued by it under this Act or has ceased to carry out the powers and functions by it as laid down in section 8 of this Act, or, a situation of financial mis-management and mal-administration has arisen in the University which threatens the academic standard of the University, it shall issue a preliminary order for the liquidation of the University and appoint an administrator.

(4) The administrator appointed under sub-section (3), shall have all the powers and be subject to all the duties of the Governing Body and the Board of Management under the Act and shall administer the affairs of the University until the last batch of the students of the regular courses have completed their courses and they have been awarded degrees, diplomas or awards, as the case may be.

(5) After having corrected the mis-management or awarded the degrees, diplomas or awards, as the case may be, to the last batches of students of the regular courses, the administrator shall make a report to the Government.

(6) On receipt of the report under sub-section (5), the Government shall, by notification in the official Gazette, issue a final order dissolving the University and from the date of publication of such notification, the University shall stand dissolved and all the assets and liabilities of the University shall vest in the Sponsoring Body from such date.

(7) It shall be competent for the Government to take action as per the provisions of the Act on such dissolution and run the university in the public interest and in the interest of the students till the students are provided all facilities to complete their courses and get their degrees or diplomas.

By Order and in the name of
Governor of Karnataka

(MAHESH R)
Under Secretary to Government
Higher Education Department (Universities-2)

PR-99

DEPARTMENT OF HIGHER EDUCATION, GOVERNMENT OF KARNATAKA NOTIFICATION

No. ED 88 URC 2019, Dated: 18-12-2019

In exercise of the powers conferred by sub-section (1) of section 61 of the Manipal University Act-2012 (Karnataka Act No.46 of 2013), the Government of Karnataka hereby makes the following rules, namely:-

1. Title and commencement- (1) These rules may be called the Manipal University Rules, 2019.

(2) They shall come into force with effect from the date of their publication in the official Gazette.

2. Definitions.- In this Rules, unless the context otherwise requires-

(a) “Act” means the Manipal University Act, 2012 (Karnataka Act No.46 of 2013);

(b) “Section” means section of the Act;

(c) “Council” means the Karnataka State Higher Education Council;

(2) The words and expressions used these rules but not defined shall have the same meanings as assigned to them in that Act.

3. Salary and Allowances and Conditions of Service of Officers and employees of the University- (1) The salary and allowances payable to the teaching faculty shall be on par with the U.G.C Pay scales.

(2) The salary and allowances of other employees shall be on par with the other State Government Employees of equivalent rank.

(3) The method of recruitment of teaching staff shall be in accordance with the U.G.C regulations issued from time to time in respect of non-teaching staff shall be in accordance with merit and with recruitment policy of State Government as the case may be.

4. Institution of New Courses in the University-(1) The University shall send a proposal along with the approval of the Sponsoring Body and the Board of Governors to the Council well before the commencement of the each academic year for starting of new courses as per the course specification of U.G.C, A.I.C.T.E and other National Accreditation Bodies as the case may be.

Provided that Sponsoring Body and the Board of Governors before approving the proposal of institution of new courses, shall ensure requisite additional facilities having been created and requisite staff having been appointed as per the norms and standards of concerns Regulatory Authorities.

(2) On receipt of the application under sub-rule (1), the Council shall direct an inspection to be made by expert committee.

Provided the expert committee constituted by the Council shall consist of atleast one former Vice-Chancellor of State Public University.

(3) The Executive Director, the Council shall submit the application and its transcripts and the report of the expert committee to the State Government for taking a decision thereon.

(4) The State Government shall consider such applications in the light of recommendation of the expert committee and after such enquiry as may appear to it to be essential, shall permit the University to start new courses or reject the proposal as the case may be, including the variation in the intake.

(5) Any application made under sub-rule (1) may be withdrawn by the University at any time before a permission or rejection is made under sub- rule (4).

5. Closure of existing Courses in the University-(1) The University if intends to close down the existing course in view of its in capacity or financial viability or dearth of admissions shall submit application to the State Government in writing of not less than 3 months prior to intended closure of the course, stating the reasons therefor;

(2) The State Government on consideration of the same shall issue directions either to permit the closure or to reject the closure to the University.

(3) The University shall not close the courses during the currency of the academic year and until the last batch of students in the course complete their course of studies and annual examinations conducted by it in respect of course of study or over.

6. Enhancement and reduction of the Courses.-

The provisions of rule (4) shall mutatis mutandis apply for enhancement or reduction in intake of the courses in the University.

7. Powers of State Government to inspect and issue Directions- 1) For the purpose of ascertaining the standards of teaching, examination and research or any other matter relating to the University, the Government may, after consultation with Vice-Chancellor, cause an assessment to be made by the Expert Committee constituted by the Government consisting of 3 eminent Educationist, one of them shall be Former Vice-Chancellor of State Public University.

(2) On receipt of the report from the Expert Committee, the Government shall communicate its recommendations in regard to result of assessment for corrective action and the University shall take the corrective measures as are necessary so as to ensure the compliance of the recommendations. If the University fails to comply with the recommendations made under sub-section(2), within a reasonable time the Government may give such directions as it may deem fit which shall be binding on the University.

8. Permanent Statutory Endowment Fund:- (1) The Permanent Statutory endowment fund shall be pledged in the name of Director, Collegiate Education, Karnataka, who shall also be the custodian for all documents and instruments related to the permanent statutory endowment fund and its investment in a Nationalized Bank in accordance with the provisions of the Act.

(2) In case the University or the sponsoring body contravenes any of the provisions of the Act, Statutes, Ordinance, regulations or rules made there under, a part or whole of the endowment fund may be forfeited by the Government but before such Forfeiture, a show cause notice shall be served by the Government on the sponsoring body or the University, as the case may be;

(3) the Government shall, among other things, duly consider the reply submitted by the sponsoring body or the University.

(4) In case the reply to show cause notice issued under sub-rule (2) is not submitted by the sponsoring body or the University within 45 days of the notice, the government may decide the case without waiting for such reply.

(5) the forfeited amount of permanent endowment fund shall vest in the government and it shall be used in the manner to be specified by the Government at the time of forfeiture.

(6) All other funds called General Fund under section 49 and Development Fund under section 50 shall be maintained in double entry Book keeping method, and shall be kept in a nationalized or Scheduled Bank.

(7) Permanent statutory Fund, General Fund and Development Fund shall be audited by the Chartered Accountant and annual Statement of accounts along with Audit report and its compliance shall be annually submitted to the State Government through the Director of Collegiate Education.

9. Suspension or Dissolution of the University-1) On receipt of the reply from University to the Show Cause Notice referred to in proviso of sub-section (4) of section 58 of the Act, if the Government is satisfied that there is a prima-facie case of contravention of all or any of the provisions of the Act or the Rules, Statutes and Ordinances made there under or of contravention of the directions issued by it under the Act or of financial mismanagement or mal administration or indiscipline, it shall make an order of such enquiry, as it may consider necessary.

(2) The Government shall, for the purpose any inquiry under sub-section(1) institute a Commission of inquiry headed by retired Supreme Court or High Court Judge to enquire into any of the allegations and to make report thereon.

(3) On receipt of the enquiry report from the officer appointed under sub-section (2), if the Government is satisfied that the University has contravened all or any of the provisions of this Act or the rules, statutes, or ordinances made thereunder or has violated any of the directions issued by it under this Act or has ceased to carry out the powers and functions by it as laid down in section 8 of this Act, or, a situation of financial mis-management and mal-administration has arisen in the University which threatens the academic standard of the University, it shall issue a preliminary order for the liquidation of the University and appoint an administrator.

(4) The administrator appointed under sub-section (3), shall have all the powers and be subject to all the duties of the Governing Body and the Board of Management under the Act and shall administer the affairs of the University until the last batch of the students of the regular courses have completed their courses and they have been awarded degrees, diplomas or awards, as the case may be.

(5) After having corrected the mis-management or awarded the degrees, diplomas or awards, as the case may be, to the last batches of students of the regular courses, the administrator shall make a report to the Government.

(6) On receipt of the report under sub-section (5), the Government shall, by notification in the official Gazette, issue a final order dissolving the University and from the date of publication of such notification, the University shall stand dissolved and all the assets and liabilities of the University shall vest in the Sponsoring Body from such date.

(7) It shall be competent for the Government to take action as per the provisions of the Act on such dissolution and run the university in the public interest and in the interest of the students till the students are provided all facilities to complete their courses and get their degrees or diplomas.

By Order and in the name of
Governor of Karnataka

(MAHESH R)
Under Secretary to Government
Higher Education Department (Universities-2)

PR-100

DEPARTMENT OF HIGHER EDUCATION, GOVERNMENT OF KARNATAKA NOTIFICATION

No. ED 73 URC 2019, Dated: 18-12-2019

In exercise of the powers conferred by sub-section (1) of section 61 of the Amruta Sinchana Spiritual University Act-2012 (Karnataka Act No.21 of 2013), the Government of Karnataka hereby makes the following rules, namely:-

1. Title and commencement- (1) These rules may be called the Amruta Sinchana Spiritual University Rules, 2019.

(2) They shall come into force with effect from the date of their publication in the official Gazette.

2. Definitions.- In this Rules, unless the context otherwise requires-

(a) “Act” means the Amruta Sinchana Spiritual University Act, 2012(Karnataka Act No.21 of 2013);

(b) “Section” means section of the Act;

(c) “Council” means the Karnataka State Higher Education Council;

(2) The words and expressions used these rules but not defined shall have the same meanings as assigned to them in that Act.

3. Salary and Allowances and Conditions of Service of Officers and employees of the University- (1) The salary and allowances payable to the teaching faculty shall be on par with the U.G.C Pay scales.

(2) The salary and allowances of other employees shall be on par with the other State Government Employees of equivalent rank.

(3) The method of recruitment of teaching staff shall be in accordance with the U.G.C regulations issued from time to time in respect of non-teaching staff shall be in accordance with merit and with recruitment policy of State Government as the case may be.

4. Institution of New Courses in the University-(1) The University shall send a proposal along with the approval of the Sponsoring Body and the Board of Governors to the Council well before the commencement of the each academic year for starting of new courses as per the course specification of U.G.C, A.I.C.T.E and other National Accreditation Bodies as the case may be.

Provided that Sponsoring Body and the Board of Governors before approving the proposal of institution of new courses, shall ensure requisite additional facilities having been created and requisite staff having been appointed as per the norms and standards of concerns Regulatory Authorities.

(2) On receipt of the application under sub-rule (1), the Council shall direct an inspection to be made by expert committee.

Provided the expert committee constituted by the Council shall consist of atleast one former Vice-Chancellor of State Public University.

(3) The Executive Director, the Council shall submit the application and its transcripts and the report of the expert committee to the State Government for taking a decision thereon.

(4) The State Government shall consider such applications in the light of recommendation of the expert committee and after such enquiry as may appear to it to be essential, shall permit the University to start new courses or reject the proposal as the case may be, including the variation in the intake.

(5) Any application made under sub-rule (1) may be withdrawn by the University at any time before a permission or rejection is made under sub- rule (4).

5. Closure of existing Courses in the University-(1) The University if intends to close down the existing course in view of its in capacity or financial viability or dearth of admissions shall submit application to the State Government in writing of not less than 3 months prior to intended closure of the course, stating the reasons therefor;

(2) The State Government on consideration of the same shall issue directions either to permit the closure or to reject the closure to the University.

(3) The University shall not close the courses during the currency of the academic year and until the last batch of students in the course complete their course of studies and annual examinations conducted by it in respect of course of study or over.

6. Enhancement and reduction of the Courses.-

The provisions of rule (4) shall mutatis mutandis apply for enhancement or reduction in intake of the courses in the University.

7. Powers of State Government to inspect and issue Directions- 1) For the purpose of ascertaining the standards of teaching, examination and research or any other matter relating to the University, the Government may, after consultation with Vice-Chancellor, cause an assessment to be made by the Expert Committee constituted by the Government consisting of 3 eminent Educationist, one of them shall be Former Vice-Chancellor of State Public University.

(2) On receipt of the report from the Expert Committee, the Government shall communicate its recommendations in regard to result of assessment for corrective action and the University shall take the corrective measures as are necessary so as to ensure the compliance of the recommendations. If the University fails to comply with the recommendations made under sub-section(2), within a reasonable time the Government may give such directions as it may deem fit which shall be binding on the University.

8. Permanent Statutory Endowment Fund:- (1) The Permanent Statutory endowment fund shall be pledged in the name of Director, Collegiate Education, Karnataka, who shall also be the custodian for all documents and instruments related to the permanent statutory endowment fund and its investment in a Nationalized Bank in accordance with the provisions of the Act.

(2) In case the University or the sponsoring body contravenes any of the provisions of the Act, Statutes, Ordinance, regulations or rules made there under, a part or whole of the endowment fund may be forfeited by the Government but before such Forfeiture, a show cause notice shall be served by the Government on the sponsoring body or the University, as the case may be;

(3) the Government shall, among other things, duly consider the reply submitted by the sponsoring body or the University.

(4) In case the reply to show cause notice issued under sub-rule (2) is not submitted by the sponsoring body or the University within 45 days of the notice, the government may decide the case without waiting for such reply.

(5) the forfeited amount of permanent endowment fund shall vest in the government and it shall be used in the manner to be specified by the Government at the time of forfeiture.

(6) All other funds called General Fund under section 49 and Development Fund under section 50 shall be maintained in double entry Book keeping method, and shall be kept in a nationalized or Scheduled Bank.

(7) Permanent statutory Fund, General Fund and Development Fund shall be audited by the Chartered Accountant and annual Statement of accounts along with Audit report and its compliance shall be annually submitted to the State Government through the Director of Collegiate Education.

9. Suspension or Dissolution of the University-1) On receipt of the reply from University to the Show Cause Notice referred to in proviso of sub-section (4) of section 58 of the Act, if the Government is satisfied that there is a prima-facie case of contravention of all or any of the provisions of the Act or the Rules, Statutes and Ordinances made there under or of contravention of the directions issued by it under the Act or of financial mismanagement or mal administration or indiscipline, it shall make an order of such enquiry, as it may consider necessary.

(2) The Government shall, for the purpose any inquiry under sub-section(1) institute a Commission of inquiry headed by retired Supreme Court or High Court Judge to enquire into any of the allegations and to make report thereon.

(3) On receipt of the enquiry report from the officer appointed under sub-section (2), if the Government is satisfied that the University has contravened all or any of the provisions of this Act or the rules, statutes, or ordinances made thereunder or has violated any of the directions issued by it under this Act or has ceased to carry out the powers and functions by it as laid down in section 8 of this Act, or, a situation of financial mis-management and mal-administration has arisen in the University which threatens the academic standard of the University, it shall issue a preliminary order for the liquidation of the University and appoint an administrator.

(4) The administrator appointed under sub-section (3), shall have all the powers and be subject to all the duties of the Governing Body and the Board of Management under the Act and shall administer the affairs of the University until the last batch of the students of the regular courses have completed their courses and they have been awarded degrees, diplomas or awards, as the case may be.

(5) After having corrected the mis-management or awarded the degrees, diplomas or awards, as the case may be, to the last batches of students of the regular courses, the administrator shall make a report to the Government.

(6) On receipt of the report under sub-section (5), the Government shall, by notification in the official Gazette, issue a final order dissolving the University and from the date of publication of such notification, the University shall stand dissolved and all the assets and liabilities of the University shall vest in the Sponsoring Body from such date.

(7) It shall be competent for the Government to take action as per the provisions of the Act on such dissolution and run the university in the public interest and in the interest of the students till the students are provided all facilities to complete their courses and get their degrees or diplomas.

By Order and in the name of
Governor of Karnataka

(MAHESH R)

Under Secretary to Government
Higher Education Department (Universities-2)

PR-101

DEPARTMENT OF HIGHER EDUCATION, GOVERNMENT OF KARNATAKA

NOTIFICATION

No. ED 72 URC 2019, Dated: 18 -12-2019

In exercise of the powers conferred by sub-section (1) of section 61 of the Arka University Act-2012 (Karnataka Act No.44 of 2013), the Government of Karnataka hereby makes the following rules, namely:-

1. Title and commencement- (1) These rules may be called the Arka University Rules, 2019.

(2) They shall come into force with effect from the date of their publication in the official Gazette.

2. Definitions.- In this Rules, unless the context otherwise requires-

(a) "Act" means the Arka University Act, 2012 (Karnataka Act No.44 of 2013);

(b) "Section" means section of the Act;

(c) "Council" means the Karnataka State Higher Education Council;

(2) The words and expressions used these rules but not defined shall have the same meanings as assigned to them in that Act.

3. Salary and Allowances and Conditions of Service of Officers and employees of the University- (1) The salary and allowances payable to the teaching faculty shall be on par with the U.G.C Pay scales.

(2) The salary and allowances of other employees shall be on par with the other State Government Employees of equivalent rank.

(3) The method of recruitment of teaching staff shall be in accordance with the U.G.C regulations issued from time to time in respect of non-teaching staff shall be in

accordance with merit and with recruitment policy of State Government as the case may be.

4. Institution of New Courses in the University-(1) The University shall send a proposal along with the approval of the Sponsoring Body and the Board of Governors to the Council well before the commencement of the each academic year for starting of new courses as per the course specification of U.G.C, A.I.C.T.E and other National Accreditation Bodies as the case may be.

Provided that Sponsoring Body and the Board of Governors before approving the proposal of institution of new courses, shall ensure requisite additional facilities having been created and requisite staff having been appointed as per the norms and standards of concerns Regulatory Authorities.

(2) On receipt of the application under sub-rules (1), the Council shall direct an inspection to be made by expert committee.

Provided the expert committee constituted by the Council shall consist of atleast one former Vice-Chancellor of State Public University.

(3) The Executive Director, the Council shall submit the application and its transcripts and the report of the expert committee to the State Government for taking a decision thereon.

(4) The State Government shall consider such applications in the light of recommendation of the expert committee and after such enquiry as may appear to it to be essential, shall permit the University to start new courses or reject the proposal as the case may be, including the variation in the intake.

(5) Any application made under sub-rule (1) may be withdrawn by the University at any time before a permission or rejection is made under sub- rule (4).

5. Closure of existing Courses in the University-(1) The University if intends to close down the existing course in view of its in capacity or financial viability or dearth of admissions shall submit application to the State Government in writing of not less than 3 months prior to intended closure of the course, stating the reasons therefor;

(2) The State Government on consideration of the same shall issue directions either to permit the closure or to reject the closure to the University.

(3) The University shall not close the courses during the currency of the academic year and until the last batch of students in the course complete their course of studies and annual examinations conducted by it in respect of course of study or over.

6. Enhancement and reduction of the Courses.-

The provisions of rule (4) shall mutatis mutandis apply for enhancement or reduction in intake of the courses in the University.

7. Powers of State Government to inspect and issue Directions- 1) For the purpose of ascertaining the standards of teaching, examination and research or any other matter relating to the University, the Government may, after consultation with Vice-Chancellor, cause an assessment to be made by the Expert Committee constituted by the Government consisting of 3 eminent Educationist, one of them shall be Former Vice-Chancellor of State Public University.

(2) On receipt of the report from the Expert Committee, the Government shall communicate its recommendations in regard to result of assessment for corrective action and the University shall take the corrective measures as are necessary so as to ensure the compliance of the recommendations. If the University fails to comply with the recommendations made under sub-section(2), within a reasonable time the Government may give such directions as it may deem fit which shall be binding on the University.

8. Permanent Statutory Endowment Fund:- (1) The Permanent Statutory endowment fund shall be pledged in the name of Director, Collegiate Education, Karnataka, who shall also be the custodian for all documents and instruments related to the permanent statutory endowment fund and its investment in a Nationalized Bank in accordance with the provisions of the Act.

(2) In case the University or the sponsoring body contravenes any of the provisions of the Act, Statutes, Ordinance, regulations or rules made there under, a part or whole of the endowment fund may be forfeited by the Government but before such Forfeiture, a show cause notice shall be served by the Government on the sponsoring body or the University, as the case may be;

(3) the Government shall, among other things, duly consider the reply submitted by the sponsoring body or the University.

(4) In case the reply to show cause notice issued under sub-rule (2) is not submitted by the sponsoring body or the University within 45 days of the notice, the government may decide the case without waiting for such reply.

(5) the forfeited amount of permanent endowment fund shall vest in the government and it shall be used in the manner to be specified by the Government at the time of forfeiture.

(6) All other funds called General Fund under section 49 and Development Fund under section 50 shall be maintained in double entry Book keeping method, and shall be kept in a nationalized or Scheduled Bank.

(7) Permanent statutory Fund, General Fund and Development Fund shall be audited by the Chartered Accountant and annual Statement of accounts along with Audit report and its compliance shall be annually submitted to the State Government through the Director of Collegiate Education.

9. Suspension or Dissolution of the University-1) On receipt of the reply from University to the Show Cause Notice referred to in proviso of sub-section (4) of section 58 of the Act, if the Government is satisfied that there is a prima-facie case of contravention of all or any of the provisions of the Act or the Rules, Statutes and Ordinances made there under or of contravention of the directions issued by it under the Act or of financial mismanagement or mal administration or indiscipline, it shall make an order of such enquiry, as it may consider necessary.

(2) The Government shall, for the purpose any inquiry under sub-section(1) institute a Commission of inquiry headed by retired Supreme Court or High Court Judge to enquire into any of the allegations and to make report thereon.

(3) On receipt of the enquiry report from the officer appointed under sub-section (2), if the Government is satisfied that the University has contravened all or any of the provisions of this Act or the rules, statutes, or ordinances made thereunder or has violated any of the directions issued by it under this Act or has ceased to carry out the powers and functions by it as laid down in section 8 of this Act, or, a situation of financial mis-management and mal-administration has arisen in the University which threatens the academic standard of thee University, it shall issue a preliminary order for the liquidation of the University and appoint an administrator.

(4) The administrator appointed under sub-section (3), shall have all the powers and be subject to all the duties of the Governing Body and the Board of Management under the Act and shall administer the affairs of the University until the last batch of the students of the regular courses have completed their courses and they have been awarded degrees, diplomas or awards, as the case may be.

(5) After having corrected the mis-management or awarded the degrees, diplomas or awards, as the case may be, to the last batches of students of the regular courses, the administrator shall make a report to the Government.

(6) On receipt of the report under sub-section (5), the Government shall, by notification in the official Gazette, issue a final order dissolving the University and from the date of publication of such notification, the University shall stand dissolved and all the assets and liabilities of the University shall vest in the Sponsoring Body from such date.

(7) It shall be competent for the Government to take action as per the provisions of the Act on such dissolution and run the university in the public interest and in the interest of the students till the students are provided all facilities to complete their courses and get their degrees or diplomas.

By Order and in the name of
Governor of Karnataka

(MAHESH R)
Under Secretary to Government
Higher Education Department (Universities-2)

PR-102

GOVERNMENT OF KARNATAKA

No. RDP 886 GPK 2016

Karnataka Government Secretariat,
M.S Building,
Bangalore, Date: 29-02-2020.

NOTIFICATION

The draft of the Karnataka Grama Swaraj and Panchayat Raj (Staffing Pattern, Scale of Pay, Method of Recruitment and other Conditions of service of Employees of Grama Panchayat) Rules, 2020 which the Government of Karnataka proposes to make in exercise of the powers conferred by section 311 read with clause (d) of the sub-section (1) of section 62 and sections 112 and 113 of the Karnataka Grama Swaraj and Panchayath Raj Act 1993 (Karnataka Act 14 of 1993) is hereby published as required by Section 311 of the said Act, for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration after fifteen days from the date of its publication in the Official Gazette.

Any objection or suggestion which may be received by the State Government from any person with respect to the said draft rules before the expiry of the period specified above will be considered by the State Government. Objections and suggestions may be addressed to the Principal Secretary to Government, Rural Development and Panchayath Raj Department, 3rd Floor, 3rd Gate, M.S. Building, Dr. B.R. Ambedkar Veedhi, Bengaluru – 560001.

DRAFT RULES

1. Title, Commencement and application.- (1) These rules may be called the Karnataka Grama Swaraj and Panchayat Raj (Staffing Pattern, Scale of Pay, Method of Recruitment and other Conditions of service of Employees of Grama Panchayat) Rules, 2020.

(2) They shall come into force from the date of their final publication in the Official Gazette.

(3) These rules shall apply to the recruitment of employees to all posts other than those appointed by Government or Directorate of Development Department in connection with the affairs of the Grama Panchayats in the State of Karnataka.

2. Definitions.- In these rules unless the context otherwise requires,-

- (a) "Act" means the Karnataka Grama Swaraj and Panchayat Raj Act, 1993 (Karnataka Act 14 of 1993);
- (b) "Appointing Authority" means the concerned Grama Panchayat;
- (c) "Selection Committee" means the Selection Committee constituted under rule-4;
- (d) "Direct Recruitment" in relation to appointment to any service or post specified in the Schedule in the Grama Panchayat under these rules means recruitment other than by promotion, transfer and on deputation;
- (e) "Employee" means a person appointed to the category of the posts specified in the Schedule in Grama Panchayat under these rules;
- (f) "Promotion" means appointment of an employee from a lower post or grade of service or class of service to a higher post or higher grade of service or higher class of service in the Grama Panchayat under these rules;
- (g) "Schedule" means schedule appended to these rules; and
- (h) "Section" means the section of the Act;

3. Method of recruitment.- There shall be a Gram Panchayat service consisting of the category of post, as specified in column (2) of the schedule -I, their number of posts, method of recruitment and minimum qualification if any shall be as specified in the corresponding entries columns (3), (4) and (5) thereof.

4. Selection committee.- (1) There shall be a selection committee consisting of the following members for selection of candidates for direct recruitment of posts specified in the schedule-I pertaining to the Grama Panchayats of the respective District, namely:-

(a)	The Chief Executive Officer of the concerned Zilla Panchayat	: Chairperson
(b)	The Deputy Director, Social Welfare Department	: Member
(c)	The District Backward Classes welfare Officer	: Member
(d)	The District Minority welfare Officer	: Member
(g)	The Deputy Director, Women and Child Welfare Department	: Member
(h)	The Deputy Secretary of the concerned Zilla Panchayat (who is in charge of the service Matters of Grama Panchayat employees)	: Member Secreatry

(2) The Selection Committee shall meet at least once in six months and review the vacancies occurring in each Grama Panchayat of the respective District and shall take action to select eligible candidates after obtaining prior approval of the Chief Executive Officer of the concerned Zilla Panchayat.

(3) The Selection Committee shall follow the procedure for direct recruitment specified in these rules.

(4) The Selection Committee after ascertaining the direct recruitment vacancies to be filled invite applications from eligible candidates by advertising the notice of recruitment, specify the category of post, age limit, qualification and other details and specifying the last date of filing application, in the widely circulated news paper of district of which at least one shall be in kannada.

5. Method of Selection.-(1) The Selection Committee shall prepare a selection list equal to the number of vacancies notified to the category of posts of Bill Collector and Clerk cum Data entry operator or Data entry operator or water operator, attender and cleanears, on the basis of marks obtained in the qualifying examination.

(2) Reservation policy in direct recruitment quota shall be followed, as per the guidelines issued by the State Government from time to time taking the district as a unit to determine the roster position

(3) The selection Committee shall also prepare an additional selection list of candidate not exceeding ten percent of the vacancy notified in sub-rule (1)

(4) The appointing Authority shall appoint the candidates included in the selection list in the order in which their names are found in the selection list after verifying their documents and antecedents of the candidates and satisfying itself before appointment as per Karnataka Civil Services (General Recruitment) Rules, 1977. Inclusion of name in the select list does not confer any right of appointment on the candidates.

6. Appointment by Promotion.- All promotions shall be on the basis of combined seniority. A Grama Panchayat wise combined seniority list on the basis of length of service in the respective cadre shall be prepared by the concerned Panchayat Development Officer before promotion to the cadre of Bill collector and Clerk cum Data entry operator.

7. Conditions of Service.- The following conditions of service shall be applicable to the employee appointed under these rules, namely:-

- (i) the Service Book of the employee shall be maintained by the Panchayat Development officer or Secretary Grade-1 of the concerned Grama Panchayat;
- (ii) the Panchayat Development Officer of Grama Panchayat shall be the competent authority to sanction causal leave and restricted holidays

- (except half-pay live) to the employee and the Executive Officer of Taluk Panchayat shall be the competent authority to sanction earned leave, extra-ordinary leave and other kinds of leave except half pay leave subject to the conditions as prescribed in the Karnataka Civil Services Rules;
- (iii) every employee of the Grama Panchayat shall attain superannuation at the age of sixty years; and
- (iv) employees shall be entitled for death cum retirement gratuity benefit at the rate of fifteen days salary for every year of Service but not exceeding fifteen months salary.

8. Disciplinary Authority.- The provisions of the Karnataka Civil Services (Classification, Control and Appeal) Rules, 1957 with modifications specified in Schedule-II and any other General rules governing condition of service of State Government employees regarding disciplinary action shall mutatis mutandis apply in so far as they are not inconsistent with these rules to the employees appointed under these rules.

9. Application of other rules.- The provisions of,-

- (i) the Karnataka Civil Services Rules, 1957;
 - (ii) the Karnataka Civil Services (Seniority) Rules, 1957;
 - (iii) the Karnataka Civil Services (Conduct) Rules, 1966;
 - (iv) the Karnataka Civil Services (General Recruitment) Rules, 1977;
 - (v) the Karnataka Civil Services (Probation) Rules, 1977;
 - (vi) the Karnataka Civil Services (Appointment on Compassionate Ground) Rules, 1996; and
 - (vii) the Karnataka Government Servants (Medical Attendance) Rules, 1963.
- shall in so far as they are not repugnant to these rules be applicable with modifications to the employees governed by these rules.

10. Withdrawal of earlier Official Memorandum and Government orders.- The Government Order No. RDP 102 VEL 1990, Dated:10-01-1994, Official Memorandum No. GPA 67 GPC 2006, dated:04-1-2008, Government Order No.GPA 22 GPC 2014, Dated 10-09-2014 and Government Order No.GPA 103 GPC 2016, Dated 02-11-2017 or any other rules issued in respect of the posts specified in the schedule and any order regarding the staffing pattern and recruitment procedure are hereby withdrawn:

Provided that, such withdrawal or repeal shall not affect:

- (i) the previous operation of anything done under the said Official Memorandum and Government orders or suffered thereunder; or
- (ii) any right, privilege, obligation, or liability acquired, occurred or incurred under the said Official Memorandum and Government orders.

Schedule-I
(see rule 2 and 3)

SI. No	Category of Posts	Method of Recruitment	Minimum Qualification
1	2	3	4
1	Bill Collector and clerk cum Data Entry Operator	Fifty percent by direct recruitment on the basis of merit; and fifty percent by promotion from the cadre of Water Operator / Attender / Cleaners on the basis of combined seniority. Seniority being determined by length of Service render in the respective cadres.	For direct recruitment: (1) Must have passed PUC examination or possess equivalent qualification with Kannada as one of the language ; (2) Must possess a certificate of three months computer training course from any institute recognized by the State or Central Government; or For Promotion- (1) Must have passed SSLC Examination or equivalent Examinations with Kannada one of the subject; and (2) Must have put in a service of not less than five years in the cadre of Water Operator / Attender / Cleaners.
2	Data Entry Operator	By direct recruitment on the basis of merit.	(1) Must have passed PUC examination or possess equivalent qualification with Kannada as one of the language ; (2) Must possess a certificate in three months computer training course from an institute recognized by the State or Central Government; (3) The Selection list shall be prepared on the basis of merit list; and (4) After Select list under clause (3) there shall be a qualifying computer literacy

			test with minimum of 35 marks in the literacy test for eligibility.
3	Water Operator	By direct recruitment on the basis of marks obtained in SSLC or equivalent examination.	Must have passed SSLC or equivalent examination with Kannada as one of the subject.
4	Attender	By direct recruitment on the basis of marks obtained in SSLC or equivalent examination.	Must have passed SSLC or equivalent examination with Kannada as one of the subject.
5	Cleaners	By direct recruitment on the basis of marks obtained in SSLC or equivalent examination.	Must have passed SSLC or equivalent examination with Kannada as one of the subject.

Note:

1. The Scale of pay is subject to revision in accordance with minimum wages revised by the Department of Labour from time to time.
2. Number of post for each Grama Panchayats will be provide in separately in the Government Orders.

Schedule-II
[See rule 2 and 9]

Sl.No	Category of Post	Appointing Authority	Disciplinary Authority	Penalty	Appellate Authority
1	2	3	4	5	6
(1)	Bill Collector and clerk cum Data Entry Operator	Grama Panchayat	1) Grama Panchayat (minor penalties-I to IV-a) 2) Executive Officer of Taluk Panchayat (major Penalties- V to VIII)	In accordance with rule 8 of Karnataka Civil Services (CCA) Rules, 1957.	Chief Executive Officer of Zilla Panchayat
(2)	Data Entry Operator	Grama Panchayat	1) Grama Panchayat (minor penalties-I to IV-a)	In accordance with rule 8 of Karnataka	Chief Executive Officer of Zilla

			2) Executive Officer of Taluk Panchayat (major Penalties- V to VIII)	Civil Services (CCA) Rules, 1957.	Panchayat
(3)	Water Operator	Grama Panchayat	1) Grama Panchayat (minor penalties-I to IV-a) 2) Executive Officer of Taluk Panchayat (major Penalties- V to VIII)	In accordance with rule 8 of Karnataka Civil Services (CCA) Rules, 1957.	Chief Executive Officer of Zilla Panchayat
(4)	Attender	Grama Panchayat	1) Grama Panchayat (minor penalties-I to IV-a) 2) Executive Officer of Taluk Panchayat (major Penalties- V to VIII)	In accordance with rule 8 of Karnataka Civil Services (CCA) Rules, 1957.	Chief Executive Officer of Zilla Panchayat
(5)	Cleaners	Grama Panchayat	1) Grama Panchayat (minor penalties-I to IV-a) 2) Executive Officer of Taluk Panchayat (major Penalties- V to VIII)	In accordance with rule 8 of Karnataka Civil Services (CCA) Rules, 1957.	Chief Executive Officer of Zilla Panchayat

By order and in the
name of the Governor of Karnataka,

(S.A. Ashraful Hassan)
Director and Ex-Officio
Joint Secretary to Government
Rural Development & Panchayath Raj Department.

GOVERNMENT OF KARNATAKA

No. UDD 10 TTP 2018

Karnataka Government Secretariat,
Vikasa Soudha,
Bangalore, Dated 28.02.2020**NOTIFICATION**

Whereas the State Government is implementing the "One lakh multi-storeyed housing scheme" with the consolidated funds from the State schemes including Dr.Ambedkar housing scheme; Vajpayee Urban Housing and the Central Government PMAY(Urban) scheme.

Whereas the Housing policy of State Government has recommended reforms to enable Housing for all with special focus on providing housing for EWS and LIG categories. In this direction, Housing Department has sought certain relaxations in Zoning Regulations of Approved Master Plans in Bengaluru Metropolitan Region to enable optimum utilization of land in the One lakh multi-storeyed housing scheme" for Bengaluru, taken up by Rajiv Gandhi Housing Corporation Limited, and the Karnataka Slum Development Board has sought certain relaxations of approved Master Plans for In-Situ/Rehabilitation projects taken up by Karnataka Slum Development Board. The recommendations of the Housing Department are to facilitate the accommodation of optimum dwelling units in the available public lands.

Now, therefore in exercise of powers conferred under Section 13-E of Karnataka Town and Country Planning Act, 1961, Government of Karnataka proposes to make amendments to the Zonal Regulations of Master Plans of all the Local Planning Areas approved by Government for One lakh multi-storyed housing scheme taken up by Rajiv Gandhi Corporation Ltd. and In-Situ/Rehabilitation projects taken up by Karnataka Slum Development Board. It is hereby published for information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration after 30 days from the date of its publication in the official Gazette.

Any objections or suggestions that may be received from the public with respect to the said draft within the period specified above will be considered. The objections or suggestions may be addressed to the Additional Chief Secretary to Government, Urban Development Department, 4th Floor, Vikasa Soudha, Dr. Ambedkar Veedhi, Bengaluru 560001.

Draft Regulations.

In the Zonal Regulations of Master Plans of all the Local Planning Areas including Bengaluru, approved by Government for "One lakh multi-storyed housing scheme" taken up by Rajiv Gandhi Housing Corporation Ltd. and In-Situ/Rehabilitation projects taken up by Karnataka Slum Development Board the following regulations shall be applicable:-

1. At the end of the definition of Stilt Floor the following may be inserted namely.-

"However in case of Affordable Housing schemes undertaken by public agencies twenty percent of the stilt area may be permitted for dwellings for physically challenged beneficiaries, after reserving necessary car parking space as specified in these regulations".

2. Road Width

(i) For buildings upto 15m height, minimum road width shall be 7m.

(ii) For buildings with height more than 15m and upto 45m, minimum road width shall be 9m (Stilt/ground + 14 upper floors).

3. FAR: Maximum FAR allowable shall be upto 5.

4. Car Parking; One car parking slot shall be provided for every six dwelling units of carpet area below 50 Sqm.

5. Corridors; Minimum width of the corridor in multi storied buildings shall be 1.80m.

6. “One lakh multi-storied housing scheme” taken up by Rajiv Gandhi Housing Corporation Ltd. shall be permitted under special circumstances in all land use zones, subject to incorporation of roads proposed in the Master Plan.

By Order and in the name of the
Governor of Karnataka.

(C.S.SHIVAKUMARASWAMY)
Under Secretary to Government
Urban Development Department.

PR-104



ಕರ್ನಾಟಕ ವಿಧಾನಸಭೆ
ಹದಿನೈದನೇ ವಿಧಾನಸಭೆ
ಆರನೇ ಅಧಿವೇಶನ

**KARNATAKA LEGISLATIVE ASSEMBLY SECRETARIAT
NOTIFICATION**

No: KLA/LGA/07/Bill/2020, Bengaluru, Dated : 20.02.2020

The following Bill was introduced in Legislative Assembly on 20.02.2020

ಕರ್ನಾಟಕ ವಿಧಾನಸಭೆ
ಹದಿನೈದನೇ ವಿಧಾನಸಭೆ
ಆರನೇ ಅಧಿವೇಶನ

ಕೈಗಾರಿಕಾ ವಿವಾದಗಳ (ಕರ್ನಾಟಕ ತಿದ್ದುಪಡಿ) ವಿಧೇಯಕ, 2020
(2020ರ ವಿಧಾನಸಭೆಯ ವಿಧೇಯಕ ಸಂಖ್ಯೆ-07)

ಕೈಗಾರಿಕಾ ವಿವಾದಗಳ ಅಧಿನಿಯಮ, 1947ನ್ನು ಕರ್ನಾಟಕ ರಾಜ್ಯಕ್ಕೆ ಅನ್ವಯಿಸುವಲ್ಲಿ ಮತ್ತಷ್ಟು ತಿದ್ದುಪಡಿ ಮಾಡಲು ಒಂದು ವಿಧೇಯಕ.

ಇಲ್ಲಿ ಇನ್ನುಮುಂದೆ ಕಂಡುಬರುವ ಉದ್ದೇಶಗಳಿಗಾಗಿ, ಕೈಗಾರಿಕಾ ವಿವಾದಗಳ ಅಧಿನಿಯಮ, 1947ನ್ನು (1947ರ ಕೇಂದ್ರ ಅಧಿನಿಯಮ XIV) ಕರ್ನಾಟಕ ರಾಜ್ಯಕ್ಕೆ ಅನ್ವಯಿಸುವಲ್ಲಿ ಮತ್ತಷ್ಟು ತಿದ್ದುಪಡಿ ಮಾಡುವುದು ಯುಕ್ತವಾಗಿರುವುದರಿಂದ;

ಇದು ಭಾರತ ಗಣರಾಜ್ಯದ ಎಷ್ಟತ್ತೊಂದನೇ ವರ್ಷದಲ್ಲಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ವಿಧಾನಮಂಡಲದಿಂದ ಈ ಮುಂದಿನಂತೆ ಅಧಿನಿಯಮಿತವಾಗಲಿ, ಎಂದರೆ:-

1. ಸಂಕ್ಷಿಪ್ತ ಹೆಸರು ಮತ್ತು ಪ್ರಾರಂಭ.- (1) ಈ ಅಧಿನಿಯಮವನ್ನು ಕೈಗಾರಿಕಾ ವಿವಾದಗಳ (ಕರ್ನಾಟಕ ತಿದ್ದುಪಡಿ) ಅಧಿನಿಯಮ, 2020 ಎಂದು ಕರೆಯತಕ್ಕದ್ದು.

(2) ಇದು ಈ ಕೂಡಲೇ ಜಾರಿಗೆ ಬರತಕ್ಕದ್ದು.

2. 2ನೇ ಪ್ರಕರಣದ ತಿದ್ದುಪಡಿ.- ಕೈಗಾರಿಕಾ ವಿವಾದಗಳ ಅಧಿನಿಯಮ, 1947ರ (1947ರ ಕೇಂದ್ರ ಅಧಿನಿಯಮ XIV) (ಇಲ್ಲಿ ಇನ್ನುಮುಂದೆ ಮೂಲ ಅಧಿನಿಯಮವೆಂದು ಉಲ್ಲೇಖಿಸಲಾಗಿದೆ) 2ನೇ ಪ್ರಕರಣದ (ಎನ್) ಖಂಡದ (vi)ನೇ ಉಪಖಂಡದ ಪರಂತುಕದ ತರುವಾಯ ಈ ಮುಂದಿನದನ್ನು ಸೇರಿಸತಕ್ಕದ್ದು, ಎಂದರೆ:-

“ಮತ್ತು ಪರಂತು, ‘ಸಾರ್ವಜನಿಕ ಉಪಯೋಗ ಸೇವೆಗಳು’ ಎಂದು ಘೋಷಿಸಲಾಗಿರುವ ವಿಶೇಷ ಆರ್ಥಿಕ ವಲಯದಲ್ಲಿನ ಕಾರ್ಯಸಂಸ್ಥೆಗಳ ಸಂಬಂಧದಲ್ಲಿ ಅಂಥ ಅವಧಿಯು ಒಂದು ಸಮಯದಲ್ಲಿ ಮೂರು ವರ್ಷಗಳಾಗಿರತಕ್ಕದ್ದು.”

3. ಅನುಸೂಚಿಯ ತಿದ್ದುಪಡಿ.- ಮೂಲ ಅಧಿನಿಯಮದ ಮೊದಲನೇ ಅನುಸೂಚಿಯಲ್ಲಿ 33ನೇ ಕ್ರಮಸಂಖ್ಯೆಯ ತರುವಾಯ ಈ ಮುಂದಿನದನ್ನು ಸೇರಿಸತಕ್ಕದ್ದು, ಎಂದರೆ:-

“34. ವಿಶೇಷ ಆರ್ಥಿಕ ವಲಯಗಳಲ್ಲಿನ ಕಾರ್ಯಸಂಸ್ಥೆ.”

ಉದ್ದೇಶಗಳು ಮತ್ತು ಕಾರಣಗಳ ಹೇಳಿಕೆ

ಕರ್ನಾಟಕ ಕೈಗಾರಿಕಾ ಕಾರ್ಯನೀತಿಯ ಅನುಸಾರವಾಗಿ ಪ್ರತಿಯೊಂದು ಸಂದರ್ಭದಲ್ಲಿ ವಿಶೇಷ ಆರ್ಥಿಕ ವಲಯದಲ್ಲಿನ ಕಾರ್ಯಸಂಸ್ಥೆಗಳನ್ನು ಮೂರು ವರ್ಷಗಳ ಅವಧಿಗಾಗಿ ಸಾರ್ವಜನಿಕ ಉಪಯೋಗ ಸೇವೆಗಳೆಂದು ಘೋಷಿಸುವ ಮೂಲಕ ಅವುಗಳನ್ನು ಪ್ರೋತ್ಸಾಹಿಸುವುದಕ್ಕಾಗಿ ಕೈಗಾರಿಕಾ ವಿವಾದಗಳ ಅಧಿನಿಯಮ, 1947ನ್ನು (1947ರ ಕೇಂದ್ರ ಅಧಿನಿಯಮ XIV) ಕರ್ನಾಟಕ ರಾಜ್ಯಕ್ಕೆ ಅನ್ವಯಿಸುವಲ್ಲಿ ತಿದ್ದುಪಡಿ ಮಾಡುವುದು ಅವಶ್ಯವೆಂದು ಪರಿಗಣಿಸಲಾಗಿದೆ.

ಆದ್ದರಿಂದ ಈ ವಿಧೇಯಕ.

ಆರ್ಥಿಕ ಜ್ಞಾಪನ ಪತ್ರ

ಪ್ರಸ್ತಾವಿತ ಶಾಸನಾತ್ಮಕ ಕ್ರಮವು ಯಾವುದೇ ಹೆಚ್ಚಿನ ವೆಚ್ಚವನ್ನು ಒಳಗೊಂಡಿರುವುದಿಲ್ಲ.

ಅರಬೈಲ್ ಹೆಬ್ಬಾರ್ ಶಿವರಾಮ್
ಕಾರ್ಮಿಕ ಮತ್ತು ಸಕ್ಕರೆ ಮಂತ್ರಿ

ಎಂ.ಕೆ. ವಿಶಾಲಾಕ್ಷಿ
ಕಾರ್ಯದರ್ಶಿ (ಪ್ರ)
ಕರ್ನಾಟಕ ವಿಧಾನ ಸಭೆ



KARNATAKA LEGISLATIVE ASSEMBLY

FIFTEENTH LEGISLATIVE ASSEMBLY

SIXTH SESSION

THE INDUSTRIAL DISPUTES (KARNATAKA AMENDMENT) BILL, 2020

(LA Bill No. 07 of 2020)

A Bill further to amend the Industrial Disputes Act, 1947 in its application to the State of Karnataka.

Whereas, it is expedient further to amend the Industrial Disputes Act, 1947 (Central Act XIV of 1947) in its application to the State of Karnataka for the purposes hereinafter appearing;

Be it enacted by the Karnataka State Legislature in the Seventy first year of the Republic of India, as follows:-

1. Short title and commencement.- (1) This Act may be called the Industrial Disputes (Karnataka Amendment) Act, 2020.

(2) It shall come into force at once.

2. Amendment of section 2.- In section 2 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947) (herein after referred to as the Principal Act) in clause (n), in sub-clause (vi) after the proviso the following shall be inserted, namely:-

“Provided further that, in respect of establishments in Special Economic Zone declared as 'Public Utility Services' such period shall be three years at a time.”

3. Amendment of the Schedule.- In the first schedule to the Principal Act, after serial number 33 the following shall be inserted namely:-

“34. Establishment in Special Economic Zones.”

STATEMENT OF OBJECTS AND REASONS

It is considered necessary to amend the Industrial Disputes Act, 1947 (Central Act XIV of 1947) in its application to State of Karnataka so as to encourage the establishments in special economic zones by declaring them as public utility services for period of three years on each occasion in consonance with the Karnataka Industrial policy.

Hence the Bill.

FINANCIAL MEMORANDUM

There is no extra expenditure involved in the proposed legislative measure.

Arabail Hebbar Shivaram
Minister for Labour
and Sugar

M.K. Vishalakshi
Secretary (I/c)

Karnataka Legislative Assembly

PR-105

KARNATAKA LEGISLATIVE ASSEMBLY SECRETARIAT
NOTIFICATION

No: KLA/LGA/08/Bill/2020, Bengaluru, Dated : 20.02.2020

The following Bill was introduced in Legislative Assembly on 20.02.2020

ಕರ್ನಾಟಕ ವಿಧಾನಸಭೆ
ಹದಿನೈದನೇ ವಿಧಾನಸಭೆ
ಆರನೇ ಅಧಿವೇಶನ

ಕರ್ನಾಟಕ ಅಂಗಡಿಗಳು ಮತ್ತು ವಾಣಿಜ್ಯ ಸಂಸ್ಥೆಗಳ (ತಿದ್ದುಪಡಿ) ವಿಧೇಯಕ, 2020
(2020ರ ವಿಧಾನಸಭೆಯ ವಿಧೇಯಕ ಸಂಖ್ಯೆ-08)

ಕರ್ನಾಟಕ ಅಂಗಡಿಗಳು ಮತ್ತು ವಾಣಿಜ್ಯ ಸಂಸ್ಥೆಗಳ ಅಧಿನಿಯಮ, 1961ನ್ನು ಮತ್ತಷ್ಟು ತಿದ್ದುಪಡಿ ಮಾಡಲು ಒಂದು ವಿಧೇಯಕ.

ಇಲ್ಲಿ ಇನ್ನು ಮುಂದೆ ಕಂಡುಬರುವ ಉದ್ದೇಶಗಳಿಗಾಗಿ ಕರ್ನಾಟಕ ಅಂಗಡಿಗಳು ಮತ್ತು ವಾಣಿಜ್ಯ ಸಂಸ್ಥೆಗಳ ಅಧಿನಿಯಮ, 1961ನ್ನು (1962ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 8) ಮತ್ತಷ್ಟು ತಿದ್ದುಪಡಿ ಮಾಡುವುದು ಯುಕ್ತವಾಗಿರುವುದರಿಂದ;

ಇದು ಭಾರತ ಗಣರಾಜ್ಯದ ಎಪ್ಪತ್ತೊಂದನೇ ವರ್ಷದಲ್ಲಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ವಿಧಾನ ಮಂಡಲದಿಂದ ಈ ಮುಂದಿನಂತೆ ಅಧಿನಿಯಮಿತವಾಗತಕ್ಕದ್ದು:-

1. ಸಂಕ್ಷಿಪ್ತ ಹೆಸರು ಮತ್ತು ಪ್ರಾರಂಭ.- (1) ಈ ಅಧಿನಿಯಮವನ್ನು ಕರ್ನಾಟಕ ಅಂಗಡಿಗಳು ಮತ್ತು ವಾಣಿಜ್ಯ ಸಂಸ್ಥೆಗಳ (ತಿದ್ದುಪಡಿ) ಅಧಿನಿಯಮ, 2020 ಎಂದು ಕರೆಯತಕ್ಕದ್ದು.

(2) ಇದು ಈ ಕೂಡಲೆ ಜಾರಿಗೆ ಬರತಕ್ಕದ್ದು.

2. 25ನೇ ಪ್ರಕರಣದ ಪ್ರತಿಯೋಜನೆ.- ಕರ್ನಾಟಕ ಅಂಗಡಿಗಳು ಮತ್ತು ವಾಣಿಜ್ಯ ಸಂಸ್ಥೆಗಳ ಅಧಿನಿಯಮ, 1961ರ (1962ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 8) 25ನೇ ಪ್ರಕರಣಕ್ಕೆ ಈ ಮುಂದಿನದನ್ನು ಪ್ರತಿಯೋಜಿಸತಕ್ಕದ್ದು, ಎಂದರೆ:-

“25 ರಾತ್ರಿ ವೇಳೆಯಲ್ಲಿ ಮಹಿಳೆಯರ ಉದ್ಯೋಗದ ನಿಯಂತ್ರಣ.- (1) ಮಹಿಳಾ ಉದ್ಯೋಗಿಯು ಹಾಗೆ ಇಚ್ಛಿಸಿದಲ್ಲಿ, ಈ ಮುಂದಿನ ಷರತ್ತುಗಳಿಗೆ ಒಳಪಟ್ಟು ಅಂಗಡಿಗಳ ಅಥವಾ ವಾಣಿಜ್ಯ ಸಂಸ್ಥೆಯಲ್ಲಿ ಕೆಲಸ ಮಾಡಲು ಅನುಮತಿಸಬಹುದು, ಎಂದರೆ:-

(ಎ) ಅಧಿನಿಯಮದ 7,8,9,10 ಮತ್ತು 12ನೇ ಪ್ರಕರಣಗಳ ಅಡಿಯಲ್ಲಿ ಗೊತ್ತುಪಡಿಸಿದ ನಿಯಂತ್ರಣವು ರಾತ್ರಿ ಪಾಳೆಯಲ್ಲಿ ಕೆಲಸ ಮಾಡುವ ಮಹಿಳಾ ಉದ್ಯೋಗಿಗೆ ಅನ್ವಯವಾಗುವುದು ಮುಂದುವರೆಯತಕ್ಕದ್ದು;

(ಬಿ) ಮಹಿಳಾ ಉದ್ಯೋಗಿಗಳ ಅಭಿಮತವನ್ನು (Willingness) ಲಿಖಿತದಲ್ಲಿ ಪಡೆದುಕೊಳ್ಳತಕ್ಕದ್ದು;

(ಸಿ) ಮಹಿಳಾ ಉದ್ಯೋಗಿಗಳಿಗೆ ನಿವಾಸದಿಂದ ಕೆಲಸದ ಸ್ಥಳಕ್ಕೆ ಮತ್ತು ಹಿಂದಿರುಗಲು ಸಾರಿಗೆ ಸೌಲಭ್ಯಗಳನ್ನು ಉಚಿತವಾಗಿ ಹಾಗೂ ಸಾಕಷ್ಟು ಭದ್ರತೆಯೊಂದಿಗೆ ಕಾರ್ಯಸಂಸ್ಥೆಯು ಒದಗಿಸತಕ್ಕದ್ದು. ಅಂಥ ಸಾರಿಗೆ ಸೌಲಭ್ಯವು ಮಾರ್ಗಪತ್ತೆ (tracking) ಮತ್ತು ಮೇಲ್ವಿಚಾರಣೆಗಾಗಿ ಜಾಗತಿಕ ಸ್ಥಳ ಮಾಹಿತಿ ಸೌಲಭ್ಯ (GPS) ಅನ್ನು ಹೊಂದಿರತಕ್ಕದ್ದು;

(ಡಿ) ಮಹಿಳಾ ಉದ್ಯೋಗಿಯ ಉದ್ಯೋಗವು ಸರದಿಯ ಪ್ರಕಾರ ಇರತಕ್ಕದ್ದು;

(ಇ) ರಾತ್ರಿ ಪಾಳಿಯಲ್ಲಿ ಸಾಕಷ್ಟು ಸಂಖ್ಯೆಯಲ್ಲಿ ಭದ್ರತಾ ಸಿಬ್ಬಂದಿಯನ್ನು ನಿಯೋಜಿಸಿರತಕ್ಕದ್ದು;

(ಎಫ್) ಖಾಸಗಿತನವನ್ನು ಕಾಪಾಡಲು ಮಹಿಳಾ ಉದ್ಯೋಗಿಗಳಿಗಾಗಿ ಪ್ರತ್ಯೇಕವಾಗಿ ಅಗತ್ಯವಿರುವಷ್ಟು ವಿಶ್ರಾಂತಿ ಕೊಠಡಿಗಳು, ವಿದ್ಯುತ್, ಶೌಚಾಲಯಗಳು, ಭದ್ರಕಪಾಟುಗಳು, ಔಷಧಾಲಯ ಸೌಲಭ್ಯ ಮತ್ತು ಸಾಕಷ್ಟು ನೀರು ಪೂರೈಕೆಯೊಂದಿಗೆ ಸ್ವಚ್ಛತಾ ಸೌಕರ್ಯಗಳನ್ನು ಒದಗಿಸತಕ್ಕದ್ದು;

(ಜಿ) ಸ್ವಯಂ ಅಥವಾ ಇತರ ಸಂಸ್ಥೆಗಳಿಂದ ಮಹಿಳಾ ಉದ್ಯೋಗಿಗಳು ಪಡೆದ ಶಿಶುಕೇಂದ್ರದ ವೆಚ್ಚವನ್ನು ಕಾರ್ಯಸಂಸ್ಥೆಯು ಭರಿಸತಕ್ಕದ್ದು;

(ಎಚ್) ಕಾರ್ಯಸಂಸ್ಥೆಯು ಪತ್ನಿಯೊಬ್ಬ ಚಾಲಕನ ಸ್ವವಿವರವನ್ನು ಪಡೆದುಕೊಳ್ಳತಕ್ಕದ್ದು ಹಾಗೂ ನಿಯೋಜಿಸಿದ ಎಲ್ಲಾ ಚಾಲಕರ ಪೂರ್ವಚರಿತ್ರೆಗಳ ಉದ್ಯೋಗ ಪೂರ್ವ ಪರಾಮರ್ಶೆಯನ್ನು ಸ್ವಂತವಾಗಿ ನಡೆಸತಕ್ಕದ್ದು. ಹೊರಗುತ್ತಿಗೆ ಮೂಲಕ ನಿಯೋಜಿಸಿದ ಚಾಲಕರ ಕುರಿತು ಸೇವಾದಾತ ಸಂಸ್ಥೆಯು ಚಾಲಕರ ಸ್ವವಿವರ ಸಂಗ್ರಹ ಮತ್ತು ಪೂರ್ವಚರಿತ್ರೆಗಳ ಉದ್ಯೋಗ ಪೂರ್ವ ಪರಾಮರ್ಶೆಯನ್ನು ಕೈಗೊಂಡಿರುವ ಬಗ್ಗೆ ತಾನು ಮನಗಂಡಿರುವುದನ್ನು ಖಚಿತಪಡಿಸಿಕೊಳ್ಳತಕ್ಕದ್ದು;

(ಐ) ಹತ್ತಿಸಿಕೊಳ್ಳುವ ಮತ್ತು ಇಳಿಸುವ ಮಾರ್ಗದ ಸೂಚಿತ ಪಟ್ಟಿಯನ್ನು ಕಂಪನಿಯ ಮೇಲ್ವಿಚಾರಣಾ ಅಧಿಕಾರಿಯೇ ನಿರ್ಧರಿಸತಕ್ಕದ್ದು. ತುರ್ತು ಸನ್ನಿವೇಶಗಳಲ್ಲಿ, ಚಾಲಕರ/ ಮಾರ್ಗಗಳ/ ಪಾಳಿಗಳ ಬದಲಾವಣೆಯನ್ನು ಮೇಲ್ವಿಚಾರಣಾ ಅಧಿಕಾರಿಗಳು/ ಉದ್ಯೋಗಿಗಳಿಗೆ ಮೊದಲೇ ತಿಳಿಸುವ ಮೂಲಕ ಮಾತ್ರವೇ ಅನುಮತಿಸತಕ್ಕದ್ದು;

(ಜೆ) ಮಹಿಳಾ ಉದ್ಯೋಗಿಗಳ ದೂರವಾಣಿ ಸಂಖ್ಯೆ, ವಿಶೇಷವಾಗಿ ಸಂಚಾರಿ ದೂರವಾಣಿ ಸಂಖ್ಯೆಗಳು, ಮಿಂಚಂಚೆ ಗುರುತು ಮತ್ತು ವಿಳಾಸಗಳನ್ನು ಅನಧಿಕೃತ ವ್ಯಕ್ತಿಗಳಿಗೆ ಬಹಿರಂಗಪಡಿಸತಕ್ಕದ್ದಲ್ಲ;

(ಕೆ) ಯಾವೊಬ್ಬ ಮಹಿಳಾ ಉದ್ಯೋಗಿಗಳನ್ನು ಮೊದಲು ಹತ್ತಿಸಿಕೊಳ್ಳದಂತೆ ಹಾಗೂ ಕೊನೆಯಲ್ಲಿ ಇಳಿಸದಂತೆ ಎಚ್ಚರಿಕೆಯಲ್ಲಿ ಮಾರ್ಗಗಳನ್ನು ಆಯ್ಕೆ ಮಾಡತಕ್ಕದ್ದು;

(ಎಲ್) ಮಹಿಳಾ ಉದ್ಯೋಗಿಗಳು ರಾತ್ರಿ ಪಾಳಿಯ ವಾಹನಗಳಲ್ಲಿ ಮೊದಲು ಹತ್ತಿಕೊಳ್ಳುವಾಗ ಹಾಗೂ ಕೊನೆಗೆ ಇಳಿದುಕೊಳ್ಳುವಾಗ ಮತ್ತು ಕೆಲಸ ಮಾಡುವ ಸ್ಥಳಗಳಲ್ಲಿ ಕಂಪನಿಯೇ ಭದ್ರತಾ ಸಿಬ್ಬಂದಿಗಳನ್ನು ಒದಗಿಸತಕ್ಕದ್ದು.

(ಎಮ್) ಕಂಪನಿಯು ಗೊತ್ತುಪಡಿಸಿದ ಮೇಲ್ವಿಚಾರಕರು ಅಥವಾ ಸೇವಾದಾತರು ಸಾಧ್ಯವಾದಷ್ಟು ಮಟ್ಟಿಗೆ ಹಲವು ಮಾರ್ಗಗಳ ವಾಹನಗಳನ್ನು ಅನಿಯಮಿತವಾಗಿ (Randomly) ಪರೀಕ್ಷಿಸತಕ್ಕದ್ದು;

(ಎನ್) ಕಾರ್ಯಸಂಸ್ಥೆಯು ವಾಹನಗಳ ಚಲನವಲನವನ್ನು ನಿಗಾವಹಿಸಲು ನಿಯಂತ್ರಣಾ ಕೊಠಡಿ/ಸಾರಿಗೆ ಮೇಜನ್ನು (travel desk)ಹೊಂದಿರತಕ್ಕದ್ದು;

(ಒ) ತುರ್ತು ಸಮಯದಲ್ಲಿ ಮಹಿಳಾ ಉದ್ಯೋಗಿಗಳು ಸಂಕೇತ ನೀಡುವ ಮೂಲಕ ಸಂಬಂಧಪಟ್ಟವರನ್ನು ಸಂಪರ್ಕಿಸಲು ಸಾಧ್ಯವಾಗುವ ಮೊಬೈಲ್ ನಲ್ಲಿನ ಆಪ್ ಒಂದನ್ನು ಕಾರ್ಯಸಂಸ್ಥೆಯು ಅಭಿವೃದ್ಧಿಪಡಿಸಬಹುದು ಮತ್ತು ಅಳವಡಿಸಿಕೊಳ್ಳಬಹುದು; ಮತ್ತು

(ಪಿ) ನಿಯಮಿಸಬಹುದಾದ ಯಾವುದೇ ಇತರ ಷರತ್ತು.

(೨) ಮೇಲಿನ ಷರತ್ತುಗಳನ್ನು ಪಾಲಿಸುವಲ್ಲಿ ಯಾವುದೇ ಸಂಸ್ಥೆಯು ವಿಫಲವಾದಾಗ ಅದರ ನೋಂದಣಿ ಪ್ರಮಾಣ ಪತ್ರವನ್ನು ರದ್ದುಪಡಿಸತಕ್ಕದ್ದು.”

ಉದ್ದೇಶಗಳು ಮತ್ತು ಕಾರಣಗಳ ಹೇಳಿಕೆ

ರಾತ್ರಿ ಪಾಳೆಯಲ್ಲಿ ಮಹಿಳಾ ಉದ್ಯೋಗಿಗಳು ಅಂಗಡಿಗಳು ಮತ್ತು ವಾಣಿಜ್ಯ ಸಂಸ್ಥೆಗಳಲ್ಲಿ ಕೆಲಸ ಮಾಡಲು ಅನುಮತಿ ನೀಡುವುದಕ್ಕೆ ಕರ್ನಾಟಕ ಅಂಗಡಿಗಳು ಮತ್ತು ವಾಣಿಜ್ಯ ಸಂಸ್ಥೆಗಳ ಅಧಿನಿಯಮ, 1961ನ್ನು (1962ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 8) ತಿದ್ದುಪಡಿ ಮಾಡುವುದು ಅವಶ್ಯಕವೆಂದು ಪರಿಗಣಿಸಿದೆ.

ಆದ್ದರಿಂದ ಈ ವಿಧೇಯಕ

ಆರ್ಥಿಕ ಜ್ಞಾಪನ ಪತ್ರ

ಪ್ರಸ್ತಾವಿತ ಶಾಸನಾತ್ಮಕ ಕ್ರಮವು ಯಾವುದೇ ಹೆಚ್ಚಿನ ವೆಚ್ಚವನ್ನು ಒಳಗೊಂಡಿರುವುದಿಲ್ಲ.

ಪ್ರತ್ಯಾಯೋಜಿತ ಶಾಸನ ರಚನಾಧಿಕಾರದ ಕುರಿತು ಜ್ಞಾಪನ ಪತ್ರ

ಖಂಡ 2:	(1)ನೇ ಉಪ ಖಂಡದ (ಪಿ) ಬಾಬುವು, ರಾತ್ರಿ ವೇಳೆಯಲ್ಲಿ ಅಂಗಡಿಗಳು ಮತ್ತು ವಾಣಿಜ್ಯ ಸಂಸ್ಥೆಯಲ್ಲಿ ಕೆಲಸ ಮಾಡಲು ಮಹಿಳಾ ಉದ್ಯೋಗಿಗೆ ಅನುಮತಿಸಲು ಒಳಪಡುವ ಯಾವುದೇ ಇತರ ಷರತ್ತಿನ ಕುರಿತು ನಿಯಮಗಳನ್ನು ರಚಿಸಲು ರಾಜ್ಯ ಸರ್ಕಾರಕ್ಕೆ ಅಧಿಕಾರವನ್ನು ನೀಡುತ್ತದೆ.
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ಪ್ರಸ್ತಾವಿತ ಶಾಸನ ರಚನಾಧಿಕಾರದ ಪ್ರತ್ಯಾಯೋಜನೆಯು ವಾಡಿಕೆಯ ಸ್ವರೂಪದಾಗಿದೆ.

ಅರಬೈಲ್ ಹೆಬ್ಬಾರ್ ಶಿವರಾಮ್
ಕಾರ್ಮಿಕ ಮತ್ತು ಸಕ್ಕರೆ ಮಂತ್ರಿ

ಎಂ.ಕೆ. ವಿಶಾಲಾಕ್ಷಿ
ಕಾರ್ಯದರ್ಶಿ (ಪ್ರ)
ಕರ್ನಾಟಕ ವಿಧಾನ ಸಭೆ

ಅನುಬಂಧ

ಕರ್ನಾಟಕ ಅಂಗಡಿಗಳು ಮತ್ತು ವಾಣಿಜ್ಯ ಸಂಸ್ಥೆಗಳ ಅಧಿನಿಯಮ, 1961ರ
(1962ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 08) ಉದ್ಘಾತ ಭಾಗ

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25 ರಾತ್ರಿ ವೇಳೆಯಲ್ಲಿ ಮಹಿಳೆಯರು ಮತ್ತು ಯುವ ವ್ಯಕ್ತಿಗಳ ನಿಯೋಜನೆಯ ನಿಷೇಧ.- ಯಾವುದೇ ಮಹಿಳೆ ಅಥವಾ ಯುವ ವ್ಯಕ್ತಿಯು ರಾತ್ರಿ ವೇಳೆಯಲ್ಲಿ ಉದ್ಯೋಗಿಯಾಗಿ ಅಥವಾ ಅನ್ಯಥಾ ಯಾವುದೇ ಕಾರ್ಯಸಂಸ್ಥೆಯಲ್ಲಿ ಕೆಲಸ ಮಾಡಲು ಅಗತ್ಯಗೊಳಿಸತಕ್ಕದ್ದಲ್ಲ ಅಥವಾ ಅನುಮತಿಸತಕ್ಕದ್ದಲ್ಲ:

ಪರಂತು ರಾಜ್ಯ ಸರ್ಕಾರವು ಅಧಿಸೂಚನೆಯ ಮೂಲಕ ರಾತ್ರಿವೇಳೆಯಲ್ಲಿ ಮಹಿಳೆಯರ ಉದ್ಯೋಗಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ ಈ ಪ್ರಕರಣದ ಉಪಬಂಧಗಳಿಂದ ಮಾಹಿತಿ ತಂತ್ರಜ್ಞಾನ ಅಥವಾ ಮಾಹಿತಿ ತಂತ್ರಜ್ಞಾನ ಬೆಂಬಲಿತ ಸೇವೆಯ ಯಾವುದೇ ಕಾರ್ಯಸಂಸ್ಥೆಯನ್ನು, ಆ ಕಾರ್ಯಸಂಸ್ಥೆಯು ಅಂಥ ಮಹಿಳಾ ಉದ್ಯೋಗಿಗಳಿಗೆ ಸಾರಿಗೆ ಮತ್ತು ಭದ್ರತೆಯ ಸೌಲಭ್ಯಗಳನ್ನು ಒದಗಿಸುವ ಷರತ್ತಿಗೆ ಒಳಪಟ್ಟು ಹಾಗೂ ಅಧಿಸೂಚನೆಯಲ್ಲಿ ನಿರ್ದಿಷ್ಟಪಡಿಸಬಹುದಾದ ಯಾವುದೇ ಇತರ ಷರತ್ತಿಗೆ ಒಳಪಟ್ಟು ವಿನಾಯಿತಿಬಹುದು.

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KARNATAKA LEGISLATIVE ASSEMBLY

FIFTEENTH LEGISLATIVE ASSEMBLY

SIXTH SESSION

**THE KARNATAKA SHOPS AND COMMERCIAL ESTABLISHMENTS
(AMENDMENT) BILL, 2020
(LA Bill No. 08 of 2020)**

A Bill further to amend the Karnataka Shops and Commercial Establishments Act, 1961.

Whereas, it is expedient further to amend the Karnataka Shops and Commercial Establishments Act, 1961 (Karnataka Act 08 of 1962) purposes herein after appearing;

Be it enacted by the Karnataka State Legislature in the seventy first year of the Republic of India, as follows:-

1. Short title and commencement.-(1) This Act may be called the Karnataka Shops and Commercial Establishments (Amendment) Act, 2020.

(2) It shall come into force at once.

2. Substitution of section 25.- For section 25 of the Karnataka Shops and Commercial Establishments Act, 1961 (Karnataka Act 08 of 1962), the following shall be substituted, namely:-

"25. Regulation of employment of women during night.- (1) A woman employee who is so willing may be allowed to work in a shop or commercial establishment during night subject to the following conditions, namely:-

- (a) The regulation stipulated under sections 7, 8, 9, 10 and 12 of the Act shall continue to apply to the women employee working during night shift;
- (b) Willingness of women employees shall be obtained in writing;
- (c) The establishment shall provide transport facilities from the residence of the woman employee to the workplace and back free of cost and with

adequate security. Such transport facility shall have GPS for tracking and monitoring;

- (d) Employment of women employee shall be on rotation basis;
- (e) Adequate number of security guards shall be posted during night shift;
- (f) Sufficient rest rooms, electricity, latrines lockers, dispensary facility and washing facilities with adequate water supply shall be provided separately for women employees so as to secure privacy;
- (g) The establishment shall bear the cost of crèche obtained by the women employees from voluntary or other organisations;
- (h) The establishment shall obtain Bio-data of each driver and conduct pre-employment screening of the antecedents of all drivers employed on their own. As regards the driver employed through outsourcing, the company shall ensure to its satisfaction that the collection of Bio-data and conduct pre-employment screening of the antecedents of the drivers is carried out by the service provider;
- (i) The Schedule of route of pick-up and drop shall be decided by the supervisory office of the company only. In case of exigencies, change of drivers/ routes/shifts shall be allowed only with the prior knowledge of supervisory officers/employees;
- (j) The telephone number, particularly mobile phone numbers email ID and address of the women employees shall not be disclosed to unauthorised persons;
- (k) Careful selection of routes shall be made in such a way that no women employees shall be picked up first and dropped last;
- (l) The company shall provide security guards at work place and night shift vehicles when women employees are being picked up first or dropped last;
- (m) The designated supervisors of the company or service provider shall randomly check the vehicles on various routes as for as possible;

- (n) The establishment shall have a control room/travel desk for monitoring movement of vehicles;
- (o) An App in mobile may be developed and adopted by the establishment through which the women employee can contact the concerned at the time of emergency by giving signal;and
- (p) Any other condition as may be prescribed.

(2) If any establishment fails to comply with the above conditions, it shall lead to cancellation of the Registration Certificate.”

STATEMENT OF OBJECTS AND REASONS

It is considered necessary to amend the Karnataka Shops and Commercial Establishments Act, 1961 (Karnataka Act 08 of 1962) to allow women employees to work in a shops and establishments during night shift.

Hence, the Bill.

FINANCIAL MEMORANDUM

There is no extra expenditure involved in the proposed legislative measure.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 2:	Item (p) of sub-clause (1), empowers the State Government to make rules regarding any other condition subject to which a woman employee may be allowed to work in a shop or commercial establishment during night.
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The proposed delegation of legislative power is normal in character.

Arabail Hebbar Shivaram

Minister for Labour
and Sugar

M.K. Vishalakshi

Secretary (I/c)
Karnataka Legislative Assembly

ANNEXURE

**Extract from the Karnataka Shops and Commercial Establishments Act, 1961
(Karnataka Act 08 of 1962)**

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25. Prohibition of employment of women and young persons during night.-No woman, or a young person shall be required or allowed to work whether as an employee or otherwise in any establishment during night:

Provided that the State Government may, by notification exempt any establishment of Information Technology or Information Technology enabled service from the provisions of this section relating to employment of women during night subject to the condition that the establishment provides facilities of transportation and security to such women employees and subject to any other condition as may be specified in the notification.

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PR-106



ಕರ್ನಾಟಕ ವಿಧಾನಸಭೆ
ಹದಿನೈದನೇ ವಿಧಾನಸಭೆ
ಆರನೇ ಅಧಿವೇಶನ

No: KLA/LGA/09/Bill/2020, Bengaluru, Dated : 02.03.2020

The following Bill was introduced in Legislative Assembly on 02.03.2020

ಕರ್ನಾಟಕ ರಾಜ್ಯ ವಿಶ್ವವಿದ್ಯಾನಿಲಯಗಳ (ತಿದ್ದುಪಡಿ) ವಿಧೇಯಕ, 2020

(2020ರ ವಿಧಾನಸಭೆಯ ವಿಧೇಯಕ ಸಂಖ್ಯೆ-09)

ಕರ್ನಾಟಕ ರಾಜ್ಯ ವಿಶ್ವವಿದ್ಯಾನಿಲಯಗಳ ಅಧಿನಿಯಮ, 2000ನ್ನು ಮತ್ತಷ್ಟು ತಿದ್ದುಪಡಿ ಮಾಡಲು ಒಂದು ವಿಧೇಯಕ.

ಇಲ್ಲಿ ಇನ್ನುಮುಂದೆ ಕಂಡುಬರುವ ಉದ್ದೇಶಗಳಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ವಿಶ್ವವಿದ್ಯಾನಿಲಯಗಳ ಅಧಿನಿಯಮ, 2000ನ್ನು (2001ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 29) ಮತ್ತಷ್ಟು ತಿದ್ದುಪಡಿ ಮಾಡುವುದು ಯುಕ್ತವಾಗಿರುವುದರಿಂದ;

ಇದು, ಭಾರತ ಗಣರಾಜ್ಯದ ಎಪ್ಪತ್ತೊಂದನೇ ವರ್ಷದಲ್ಲಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ವಿಧಾನಮಂಡಲದಿಂದ ಈ ಮುಂದಿನಂತೆ ಅಧಿನಿಯಮಿತವಾಗತಕ್ಕದ್ದು, ಎಂದರೆ:-

1. ಸಂಕ್ಷಿಪ್ತ ಹೆಸರು ಮತ್ತು ಪ್ರಾರಂಭ.-(1) ಈ ಅಧಿನಿಯಮವನ್ನು ಕರ್ನಾಟಕ ರಾಜ್ಯ ವಿಶ್ವವಿದ್ಯಾನಿಲಯಗಳ (ತಿದ್ದುಪಡಿ) ಅಧಿನಿಯಮ, 2020 ಎಂದು ಕರೆಯತಕ್ಕದ್ದು.

(2) ಇದು ರಾಜ್ಯ ಸರ್ಕಾರವು ಸರ್ಕಾರಿ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಅಧಿಸೂಚನೆಯ ಮೂಲಕ ಗೊತ್ತುಪಡಿಸಬಹುದಾದ ಅಂಥ ದಿನಾಂಕದಿಂದ ಜಾರಿಗೆ ಬರತಕ್ಕದ್ದು.

2. 3ನೇ ಪ್ರಕರಣದ ತಿದ್ದುಪಡಿ.- ಕರ್ನಾಟಕ ರಾಜ್ಯ ವಿಶ್ವವಿದ್ಯಾನಿಲಯಗಳ ಅಧಿನಿಯಮ, 2000ರ (2001ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 29) (ಇಲ್ಲಿ ಇನ್ನು ಮುಂದೆ ಮೂಲ ಅಧಿನಿಯಮವೆಂದು ಉಲ್ಲೇಖಿಸಿದೆ) 3ನೇ ಪ್ರಕರಣದಲ್ಲಿ,-

(1) (1)ನೇ ಉಪಪ್ರಕರಣದ (ಬಿ) ಖಂಡದಲ್ಲಿ “ಬೀದರ್, ಗುಲಬರ್ಗಾ, ರಾಯಚೂರು ಮತ್ತು ಯಾದಗಿರಿ ಜಿಲ್ಲೆಗಳ” ಎಂಬ ಪದಗಳಿಗೆ “ಬೀದರ್ ಮತ್ತು ಕಲಬುರಗಿ ಜಿಲ್ಲೆಗಳ” ಎಂಬ ಪದಗಳನ್ನು ಪ್ರತಿಯೋಜಿಸತಕ್ಕದ್ದು;

(2) (1ಬಿ) ಉಪಪ್ರಕರಣದ ತರುವಾಯ ಈ ಮುಂದಿನದನ್ನು ಸೇರಿಸತಕ್ಕದ್ದು, ಎಂದರೆ:-

“(1ಬಿ) ರಾಯಚೂರಿನಲ್ಲಿ ಕೇಂದ್ರ ಕಾರ್ಯಸ್ಥಾನವನ್ನು ಹೊಂದಿರುವ ಹಾಗೂ ರಾಯಚೂರು ಮತ್ತು ಯಾದಗಿರಿ ಜಿಲ್ಲೆಗಳ ಪ್ರದೇಶದ ಮೇಲೆ ಪ್ರಾದೇಶಿಕ ಅಧಿಕಾರ ವ್ಯಾಪ್ತಿಯೊಂದಿಗೆ ಸಂಯೋಜನೆಗೊಳಿಸುವ ವಿಶ್ವವಿದ್ಯಾನಿಲಯವಾಗಿ ರಾಯಚೂರು ವಿಶ್ವವಿದ್ಯಾನಿಲಯವನ್ನು ಸ್ಥಾಪಿಸತಕ್ಕದ್ದು.”

3. 5ನೇ ಪ್ರಕರಣದ ತಿದ್ದುಪಡಿ.- ಮೂಲ ಅಧಿನಿಯಮದ 5ನೇ ಪ್ರಕರಣದಲ್ಲಿ (12)ನೇ ಉಪಪ್ರಕರಣದ ತರುವಾಯ ಈ ಮುಂದಿನದನ್ನು ಸೇರಿಸತಕ್ಕದ್ದು, ಎಂದರೆ:-

“(13) ಕರ್ನಾಟಕ ರಾಜ್ಯ ವಿಶ್ವವಿದ್ಯಾನಿಲಯಗಳ (ತಿದ್ದುಪಡಿ) ಅಧಿನಿಯಮ, 2020ರ ಪ್ರಾರಂಭದ ದಿನಾಂಕಕ್ಕೆ ಮೊದಲು, ರಾಯಚೂರು ಮತ್ತು ಯಾದಗಿರಿ ಜಿಲ್ಲೆಗಳಲ್ಲಿರುವ ಯಾವುದೇ ಕಾಲೇಜುಗಳು ಅಥವಾ ಶೈಕ್ಷಣಿಕ ಸಂಸ್ಥೆಗಳು ಗುಲ್ಬರ್ಗಾ ವಿಶ್ವವಿದ್ಯಾನಿಲಯದಿಂದ ಅನುಭವಿಸುತ್ತಿರುವ ಯಾವುದೇ ವಿಶೇಷಾಧಿಕಾರವನ್ನು ಈ ಸಂಬಂಧದಲ್ಲಿ ರಾಜ್ಯ ಸರ್ಕಾರವು ನಿರ್ದಿಷ್ಟಪಡಿಸಬಹುದಾದಂಥ ದಿನಾಂಕದಿಂದ ಜಾರಿಗೆ ಬರುವಂತೆ ಹಿಂತೆಗೆದುಕೊಳ್ಳಲಾಗಿದೆ ಎಂದು ಭಾವಿಸತಕ್ಕದ್ದು ಮತ್ತು ಗುಲ್ಬರ್ಗಾ ವಿಶ್ವವಿದ್ಯಾನಿಲಯದ ವಿಶೇಷಾಧಿಕಾರಗಳಿಗೆ ಈ ಹಿಂದೆ ಪ್ರವೇಶ ಪಡೆದುಕೊಂಡಿದ್ದ ಅಥವಾ ಸಂಯೋಜಿತವಾಗಿದ್ದ, ಎಲ್ಲ ಅಂಥ ಕಾಲೇಜುಗಳು ಅಥವಾ ಶೈಕ್ಷಣಿಕ ಸಂಸ್ಥೆಗಳು, ರಾಯಚೂರು ವಿಶ್ವವಿದ್ಯಾನಿಲಯದ ವಿಶೇಷಾಧಿಕಾರಗಳಿಗೆ ಪ್ರವೇಶ ಪಡೆದುಕೊಂಡಿವೆ ಎಂದು ಅಥವಾ ಅದಕ್ಕೆ ಸಂಯೋಜಿತವಾಗಿವೆ ಎಂದು ಭಾವಿಸತಕ್ಕದ್ದು.”

4. 14ನೇ ಪ್ರಕರಣದ ತಿದ್ದುಪಡಿ.- ಮೂಲ ಅಧಿನಿಯಮದ 14ನೇ ಪ್ರಕರಣದ (4)ನೇ ಉಪಪ್ರಕರಣದಲ್ಲಿ, ಏಳನೇ ಪರಂತುಕದ ತರುವಾಯ ಈ ಮುಂದಿನದನ್ನು ಸೇರಿಸತಕ್ಕದ್ದು, ಎಂದರೆ:-

“ಅಲ್ಲದೇ ಪರಂತು, ಈ ಪ್ರಕರಣದಲ್ಲಿ ವಿರುದ್ಧವಾದುದು ಏನೇ ಇದ್ದರೂ, ರಾಜ್ಯ ಸರ್ಕಾರವು, ತಾನು ನಿರ್ದಿಷ್ಟಪಡಿಸಬಹುದಾದಂಥ ನಿಬಂಧನೆಗಳು ಮತ್ತು ಷರತ್ತುಗಳಿಗೊಳಪಟ್ಟು ರಾಯಚೂರು ವಿಶ್ವವಿದ್ಯಾನಿಲಯದ ಪ್ರಥಮ ಕುಲಪತಿಯವರನ್ನು ನೇಮಕ ಮಾಡತಕ್ಕದ್ದು.”

5. ವಿಶೇಷಾಧಿಕಾರಿಯ ಅಧಿಕಾರಗಳು.- ಪ್ರಥಮ ಕುಲಪತಿಯನ್ನು ನೇಮಿಸುವವರೆಗೆ ರಾಯಚೂರು ವಿಶ್ವವಿದ್ಯಾನಿಲಯದ ಸ್ಥಾಪನೆಗೆ ಕೈಗೊಳ್ಳುವ ಕ್ರಮಗಳ ಉದ್ದೇಶಕ್ಕಾಗಿ ರಾಜ್ಯ ಸರ್ಕಾರವು ನೇಮಿಸಿದ ವಿಶೇಷಾಧಿಕಾರಿಯು, ರಾಜ್ಯ ಸರ್ಕಾರವು ನಿರ್ದಿಷ್ಟಪಡಿಸಬಹುದಾದಂತೆ ವಿಶ್ವವಿದ್ಯಾನಿಲಯದ ಮತ್ತು ಕುಲಪತಿಗಳ ಅಂಥ ಅಧಿಕಾರಗಳನ್ನು ಚಲಾಯಿಸತಕ್ಕದ್ದು ಹಾಗೂ ಅಂಥ ಪ್ರಕಾರ್ಯಗಳನ್ನು ನಿರ್ವಹಿಸತಕ್ಕದ್ದು.

6. ಪ್ರಥಮ ಕುಲಪತಿಯ ಕರ್ತವ್ಯಗಳು.- (1) ಕರ್ನಾಟಕ ರಾಜ್ಯ ವಿಶ್ವವಿದ್ಯಾನಿಲಯಗಳ (ತಿದ್ದುಪಡಿ) ಅಧಿನಿಯಮ, 2020 (ಇಲ್ಲಿ ಇನ್ನು ಮುಂದೆ ತಿದ್ದುಪಡಿ ಅಧಿನಿಯಮ ಎಂದು ಉಲ್ಲೇಖಿಸಿದೆ) ಜಾರಿಯಾದ ದಿನಾಂಕದಿಂದ ಆರು ತಿಂಗಳ ಅಥವಾ ಕುಲಾಧಿಪತಿಯು ನಿರ್ದೇಶಿಸಬಹುದಾದ ಒಂದು ವರ್ಷಕ್ಕೂ ಮೀರದ ಅಂಥ ದೀರ್ಘಾವಧಿಯೊಳಗೆ ರಾಯಚೂರು ವಿಶ್ವವಿದ್ಯಾನಿಲಯದ ಸಿಂಡಿಕೇಟ್, ವಿದ್ಯಾ ವಿಷಯಕ ಪರಿಷತ್ತು ಮತ್ತು ಇತರ ಪ್ರಾಧಿಕಾರಗಳನ್ನು ರಚಿಸುವುದಕ್ಕಾಗಿ ವ್ಯವಸ್ಥೆಗಳನ್ನು ಮಾಡುವುದು ಪ್ರಥಮ ಕುಲಪತಿಯ ಕರ್ತವ್ಯವಾಗಿರತಕ್ಕದ್ದು.

(2) (1)ನೇ ಉಪಪ್ರಕರಣದ ಅಡಿಯಲ್ಲಿ ರಚಿಸಲಾದ ಪ್ರಾಧಿಕಾರಗಳು, ಈ ಬಗ್ಗೆ ಕುಲಾಧಿಪತಿಯವರು ನಿರ್ದಿಷ್ಟಪಡಿಸಬಹುದಾದ ಅಂಥ ದಿನಾಂಕದಿಂದ ಅವುಗಳ ಅಧಿಕಾರಗಳನ್ನು ಚಲಾಯಿಸಲು ಮತ್ತು ಪ್ರಕಾರ್ಯಗಳನ್ನು ನಿರ್ವಹಿಸಲು ಪ್ರಾರಂಭಿಸತಕ್ಕದ್ದು.

7. ತಾತ್ಕಾಲಿಕ ಉಪಬಂಧಗಳು.- (1) ತಿದ್ದುಪಡಿ ಅಧಿನಿಯಮದ ಮೂಲಕ ತಿದ್ದುಪಡಿಯಾದಂತೆ ಮೂಲ ಅಧಿನಿಯಮದಲ್ಲಿ ಏನೇ ಒಳಗೊಂಡಿದ್ದರೂ, ಪ್ರಥಮ ಕುಲಪತಿಯವರು ಕುಲಾಧಿಪತಿಯವರ ಪೂರ್ವಾನುಮೋದನೆಯೊಂದಿಗೆ ತಿದ್ದುಪಡಿ ಅಧಿನಿಯಮದ ಮೂಲಕ ತಿದ್ದುಪಡಿಯಾದಂತೆ ಮೂಲ ಅಧಿನಿಯಮದ ಉಪಬಂಧಗಳನ್ನು ಕಾರ್ಯಗತಗೊಳಿಸುವ ಉದ್ದೇಶಕ್ಕಾಗಿ, ರಾಯಚೂರು ವಿಶ್ವವಿದ್ಯಾನಿಲಯದ ಎಲ್ಲಾ ಅಥವಾ ಯಾವುದೇ ಪ್ರಕಾರ್ಯಗಳನ್ನು ನಿರ್ವಹಿಸಬಹುದು ಮತ್ತು ಆ ಉದ್ದೇಶಕ್ಕಾಗಿ, ತಿದ್ದುಪಡಿ ಅಧಿನಿಯಮದ ಮೂಲಕ ತಿದ್ದುಪಡಿಯಾದಂತೆ ಮೂಲ ಅಧಿನಿಯಮದ ಮೂಲಕ ವಿಶ್ವವಿದ್ಯಾನಿಲಯದ ಯಾವುದೇ ಪ್ರಾಧಿಕಾರವು ಚಲಾಯಿಸಬೇಕಾದ ಅಥವಾ ನಿರ್ವಹಿಸಬೇಕಾದ ಯಾವುದೇ ಅಧಿಕಾರಗಳನ್ನು ಅಥವಾ ಕರ್ತವ್ಯಗಳನ್ನು ತಿದ್ದುಪಡಿ ಅಧಿನಿಯಮದ ಮೂಲಕ ತಿದ್ದುಪಡಿಯಾದಂತೆ ಮೂಲ ಅಧಿನಿಯಮದಲ್ಲಿ ಉಪಬಂಧಿಸಿದಂತೆ ಅಂಥ ಪ್ರಾಧಿಕಾರವು ಅಸ್ತಿತ್ವಕ್ಕೆ ಬರುವವರೆಗೆ ಚಲಾಯಿಸಬಹುದು ಅಥವಾ ನೆರವೇರಿಸಬಹುದು.

(2) ಮೂಲ ಅಧಿನಿಯಮದ 5ನೇ ಪ್ರಕರಣದ ಅಡಿಯಲ್ಲಿ ರಾಯಚೂರು ವಿಶ್ವವಿದ್ಯಾನಿಲಯಕ್ಕೆ ಸಂಯೋಜಿಸಲಾದ ಸಂಯೋಜಿತ ಕಾಲೇಜುಗಳಿಗೆ ಅಥವಾ ಇತರ ಶಿಕ್ಷಣ ಸಂಸ್ಥೆಗಳಿಗೆ ಅನ್ವಯವಾಗತಕ್ಕ, ಗುಲ್ಬರ್ಗಾ ವಿಶ್ವವಿದ್ಯಾನಿಲಯವು ರಚಿಸಿದ ಎಲ್ಲ ಪರಿನಿಯಮಗಳು, ಆರ್ಟಿಕಲೆಸ್‌ಗಳು, ವಿನಿಯಮಗಳು ಮತ್ತು ನಿಯಮಗಳನ್ನು ರಾಯಚೂರು ವಿಶ್ವವಿದ್ಯಾನಿಲಯವು ರಚಿಸಿದ ಪರಿನಿಯಮಗಳು, ಆರ್ಟಿಕಲೆಸ್‌ಗಳು, ವಿನಿಯಮಗಳು ಮತ್ತು ನಿಯಮಗಳೆಂದು ಭಾವಿಸತಕ್ಕದ್ದು ಮತ್ತು ಅವು ರಾಯಚೂರು ವಿಶ್ವವಿದ್ಯಾನಿಲಯವು ತನ್ನದೇ ಆದ ಪರಿನಿಯಮಗಳು, ಆರ್ಟಿಕಲೆಸ್‌ಗಳು, ವಿನಿಯಮಗಳು ಮತ್ತು ನಿಯಮಗಳನ್ನು ರಚಿಸುವವರೆಗೆ ಹಾಗೆಯೇ ಮುಂದುವರಿಯತಕ್ಕದ್ದು:

ಪರಂತು, ಕುಲಪತಿಯವರು, ಕುಲಾಧಿಪತಿಯವರ ಅನುಮೋದನೆಯೊಂದಿಗೆ, ತಾವು ಅವಶ್ಯಕವೆಂದು ಪರಿಗಣಿಸಬಹುದಾದಂಥ ಮಾರ್ಪಾಡುಗಳನ್ನು ಅಥವಾ ಅಳವಡಿಕೆಗಳನ್ನು ಅದರಲ್ಲಿ ಮಾಡಬಹುದು.

8. ಕೆಲವು ಪರೀಕ್ಷೆಗಳಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ಉಳಿಸುವಿಕೆ.- ತಿದ್ದುಪಡಿ ಅಧಿನಿಯಮದ ಮೂಲಕ ತಿದ್ದುಪಡಿಯಾದ ಮೂಲ ಅಧಿನಿಯಮದಲ್ಲಿ ಅಥವಾ ತಿದ್ದುಪಡಿ ಅಧಿನಿಯಮವು ಜಾರಿಗೆ ಬರುವ ನಿಕಟಪೂರ್ವದಲ್ಲಿ ಅದರ ಅಡಿಯಲ್ಲಿ ರಚಿಸಿದ ಪರಿನಿಯಮಗಳಲ್ಲಿ, ಆರ್ಟಿಕಲೆಸ್‌ಗಳಲ್ಲಿ, ವಿನಿಯಮಗಳಲ್ಲಿ ಮತ್ತು ನಿಯಮಗಳಲ್ಲಿ ಏನೇ ಇದ್ದರೂ,-

(ಎ) ಜಾರಿಯಲ್ಲಿದ್ದ ಪರಿನಿಯಮಗಳಿಗೆ, ಆರ್ಟಿಕಲೆಸ್‌ಗಳಿಗೆ, ವಿನಿಯಮಗಳಿಗೆ ಮತ್ತು ನಿಯಮಗಳಿಗೆ ಅನುಸಾರವಾಗಿ, ಗುಲ್ಬರ್ಗಾ ವಿಶ್ವವಿದ್ಯಾನಿಲಯದ ಪದವಿಗಾಗಿ ವ್ಯಾಸಂಗ ಮಾಡುತ್ತಿರುವ ಯಾವೊಬ್ಬ ವಿದ್ಯಾರ್ಥಿಗೆ, ರಾಯಚೂರು ವಿಶ್ವವಿದ್ಯಾನಿಲಯವು ಅಂಥ ಪರೀಕ್ಷೆಯನ್ನು ವ್ಯವಸ್ಥೆಗೊಳಿಸುವವರೆಗೆ, ಗುಲ್ಬರ್ಗಾ ವಿಶ್ವವಿದ್ಯಾನಿಲಯದ ಪರೀಕ್ಷೆಗೆ ಪ್ರವೇಶ ನೀಡತಕ್ಕದ್ದು ಮತ್ತು ಅಂಥ ಪರೀಕ್ಷೆಯ ಫಲಿತಾಂಶದ ಆಧಾರದ ಮೇಲೆ ಅವನು ಅರ್ಹನಾಗುವ ಪದವಿ ಅಥವಾ ಡಿಪ್ಲೋಮಾವನ್ನು ಅವನಿಗೆ ಪ್ರದಾನ ಮಾಡತಕ್ಕದ್ದು.

(ಬಿ) ಗುಲ್ಬರ್ಗಾ ವಿಶ್ವವಿದ್ಯಾನಿಲಯವು ಯಾವುದೇ ಪರೀಕ್ಷೆಯನ್ನು ನಡೆಸಿ ಅದರ ಫಲಿತಾಂಶವು ಪ್ರಕಟಿಸಿದ್ದು ಆದರೆ, ಅದಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟ ಪದವಿ ಅಥವಾ ಡಿಪ್ಲೋಮಾವನ್ನು ಪ್ರದಾನ ಮಾಡಿರದಿದ್ದರೆ ಅಥವಾ ನೀಡಿರದಿದ್ದರೆ ಅಥವಾ ಯಾವುದೇ ಅಂಥ ಪರೀಕ್ಷೆಯ ಫಲಿತಾಂಶವನ್ನು ಗುಲ್ಬರ್ಗಾ ವಿಶ್ವವಿದ್ಯಾನಿಲಯವು ಪ್ರಕಟಿಸಿರದಿದ್ದರೆ, ಆಗ ಅಂಥ ಪರೀಕ್ಷೆಯನ್ನು ಗುಲ್ಬರ್ಗಾ ವಿಶ್ವವಿದ್ಯಾನಿಲಯವೇ ನಡೆಸಿದೆ ಎಂದು ಭಾವಿಸತಕ್ಕದ್ದು.

೨. ತೊಂದರೆಗಳ ನಿವಾರಣೆ.- ಈ ತಿದ್ದುಪಡಿ ಅಧಿನಿಯಮದ ಉಪಬಂಧಗಳನ್ನು ಜಾರಿಗೊಳಿಸುವಲ್ಲಿ ಯಾವುದೇ ತೊಂದರೆ ಉದ್ಭವಿಸಿದರೆ, ರಾಜ್ಯ ಸರ್ಕಾರವು, ಸರ್ಕಾರಿ ರಾಜ್ಯ ಪತ್ರದಲ್ಲಿ ಅಧಿಸೂಚನೆ ಅಥವಾ ಆದೇಶವನ್ನು ಪ್ರಕಟಿಸುವ ಮೂಲಕ, ತೊಂದರೆಯನ್ನು ನಿವಾರಿಸುವ ಉದ್ದೇಶಕ್ಕಾಗಿ ಈ ತಿದ್ದುಪಡಿ ಅಧಿನಿಯಮದ ಉಪಬಂಧಗಳಿಗೆ ಅಸಂಗತವಾಗದ, ತನಗೆ ಅವಶ್ಯವೆಂದು ಅಥವಾ ಯುಕ್ತವೆಂದು ಕಂಡುಬರಬಹುದಾದಂಥ ಉಪಬಂಧಗಳನ್ನು ರಚಿಸಬಹುದು:

ಪರಂತು, ಈ ತಿದ್ದುಪಡಿ ಅಧಿನಿಯಮವು ಜಾರಿಯಾದ ದಿನಾಂಕದಿಂದ ಎರಡು ವರ್ಷಗಳ ಅವಧಿಯು ಮುಕ್ತಾಯವಾದ ತರುವಾಯ ಈ ಪ್ರಕರಣದ ಅಡಿಯಲ್ಲಿ ಅಂಥ ಅಧಿಸೂಚನೆ ಅಥವಾ ಆದೇಶವನ್ನು ಮಾಡತಕ್ಕದ್ದಲ್ಲ.

ಉದ್ದೇಶಗಳು ಮತ್ತು ಕಾರಣಗಳ ಹೇಳಿಕೆ

ಪ್ರಾದೇಶಿಕ ಅಸಮತೋಲನತೆಯ ಮೇಲಿನ ಡಾ. ನಂಜುಂಡಪ್ಪ ಸಮಿತಿ ವರದಿಯ ಅನುಸಾರವಾಗಿ, ರಾಯಚೂರು ಮತ್ತು ಯಾದಗಿರಿ ಜಿಲ್ಲೆಗಳು ಕರ್ನಾಟಕದಲ್ಲಿಯೇ ಅತಿ ಕಡಿಮೆ ನಿವ್ವಳ ಪ್ರವೇಶಾತಿಯನ್ನು ಹೊಂದಿವೆ. ಗುಲ್ಬರ್ಗಾ ವಿಶ್ವವಿದ್ಯಾನಿಲಯವು ಸಂಯೋಜಿತ ಕಾಲೇಜುಗಳ ಸಂಬಂಧದಲ್ಲಿ ಅತಿದೊಡ್ಡ ವಿಶ್ವವಿದ್ಯಾನಿಲಯಗಳಲ್ಲಿ ಒಂದಾಗಿದೆ. ಗುಲ್ಬರ್ಗಾ ವಿಶ್ವವಿದ್ಯಾನಿಲಯದ ಅನನುಕೂಲತೆಯ ಕೆಲಸದೊತ್ತಡವನ್ನು ಕಡಿಮೆ ಮಾಡುವುದಕ್ಕಾಗಿ ಮತ್ತು ವಿದ್ಯಾರ್ಥಿಗಳ ಹಿತವನ್ನು ಪ್ರವರ್ಧಿಸುವುದಕ್ಕೆ ಹಾಗೂ ಹೈದರಾಬಾದ್ ಕರ್ನಾಟಕ ಪ್ರದೇಶದಲ್ಲಿ ಪ್ರಾದೇಶಿಕ ಅಸಮತೋಲನತೆಯನ್ನು ಕಡಿಮೆಯಾಗಿಸಲೂ ಕೂಡ ಮತ್ತು ಈ ಪ್ರದೇಶದ ಅಭಿವೃದ್ಧಿಗೆ ರಾಯಚೂರು ಮತ್ತು ಯಾದಗಿರಿ ಜಿಲ್ಲೆಗಳಿಗಾಗಿ ರಾಯಚೂರು ವಿಶ್ವವಿದ್ಯಾನಿಲಯವೆಂದು ಕರೆಯಲಾಗುವ ಪ್ರತ್ಯೇಕ ವಿಶ್ವವಿದ್ಯಾನಿಲಯವೊಂದನ್ನು ಸ್ಥಾಪಿಸುವುದು ಅತ್ಯಗತ್ಯವಾಗಿರುತ್ತದೆ.

ಗುಲ್ಬರ್ಗಾ ವಿಶ್ವವಿದ್ಯಾನಿಲಯವನ್ನು ವಿಭಜಿಸುವುದಕ್ಕೆ ಹಾಗೂ ರಾಯಚೂರು ಮತ್ತು ಯಾದಗಿರಿ ಜಿಲ್ಲೆಗಳ ಪ್ರಾದೇಶಿಕ ಅಧಿಕಾರವ್ಯಾಪ್ತಿಯನ್ನು ಹೊಂದಿರುವ, ರಾಯಚೂರಿನಲ್ಲಿ ಕೇಂದ್ರಕಾರ್ಯಸ್ಥಾನದೊಂದಿಗೆ ರಾಯಚೂರು ವಿಶ್ವವಿದ್ಯಾನಿಲಯವನ್ನು ಸ್ಥಾಪಿಸುವುದಕ್ಕಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ವಿಶ್ವವಿದ್ಯಾನಿಲಯಗಳ ಅಧಿನಿಯಮ, ೨೦೦೦ನ್ನು (೨೦೦೧ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ ೨೯) ತಿದ್ದುಪಡಿ ಮಾಡುವುದು ಅವಶ್ಯಕವೆಂದು ಪರಿಗಣಿಸಿದೆ.

ಆದ್ದರಿಂದ ಈ ವಿಧೇಯಕ.

ಆರ್ಥಿಕ ಜ್ಞಾಪನ ಪತ್ರ

ಪ್ರಸ್ತಾವಿತ ಶಾಸನಾತ್ಮಕ ಕ್ರಮವು ರೂ. ೨೨೦.೦೦ ಲಕ್ಷಗಳ ಅಂದಾಜು ಆವರ್ತಕ ವೆಚ್ಚವನ್ನು ಒಳಗೊಂಡಿದೆ.

ಡಾ. ಅಶ್ವತ್ಥ ನಾರಾಯಣ ಸಿ.ಎನ್.
ಉಪ ಮುಖ್ಯಮಂತ್ರಿ ಮತ್ತು ಉನ್ನತ ಶಿಕ್ಷಣ,
ಮಾಹಿತಿ ತಂತ್ರಜ್ಞಾನ, ವಿಜ್ಞಾನ ಮತ್ತು
ತಂತ್ರಜ್ಞಾನ, ಕೌಶಲ್ಯಾಭಿವೃದ್ಧಿ, ಉದ್ಯಮ
ಶೀಲತೆ ಮತ್ತು ಜೀವನೋಪಾಯ ಮಂತ್ರಿ

ಎಂ.ಕೆ. ವಿಶಾಲಾಕ್ಷಿ
ಕಾರ್ಯದರ್ಶಿ (ಪ್ರ)
ಕರ್ನಾಟಕ ವಿಧಾನ ಸಭೆ

ಅನುಬಂಧ

ಕರ್ನಾಟಕ ರಾಜ್ಯ ವಿಶ್ವವಿದ್ಯಾನಿಲಯಗಳ ಅಧಿನಿಯಮ, 2000ರ (2001ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ ಸಂಖ್ಯೆ 29) ಉದ್ಭೂತ ಭಾಗ

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3. ವಿಶ್ವವಿದ್ಯಾನಿಲಯಗಳ ಸ್ಥಾಪನೆ ಮತ್ತು ನಿಗಮನ.- (1) 1976ರ ಕರ್ನಾಟಕ ರಾಜ್ಯ ವಿಶ್ವವಿದ್ಯಾನಿಲಯಗಳ ಅಧಿನಿಯಮದ 3ನೇ ಪ್ರಕರಣದ ಅಡಿಯಲ್ಲಿ ಸ್ಥಾಪಿತವಾದ ವಿಶ್ವವಿದ್ಯಾನಿಲಯಗಳನ್ನು, ಇದರಲ್ಲಿ ಇನ್ನು ಮುಂದೆ ಉಪಬಂಧಿಸಲಾದಂತೆ, ಅವುಗಳ ಪ್ರಾದೇಶಿಕ ಅಧಿಕಾರ ವ್ಯಾಪ್ತಿಯೊಡನೆ, ಈ ಅಧಿನಿಯಮದ ಅಡಿಯಲ್ಲಿ ಸ್ಥಾಪಿತವಾದ ವಿಶ್ವವಿದ್ಯಾನಿಲಯಗಳೆಂದು ಭಾವಿಸತಕ್ಕದ್ದು, ಎಂದರೆ:-

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(ಬಿ) ಗುಲಬರ್ಗಾದಲ್ಲಿ ಕೇಂದ್ರ ಕಾರ್ಯಸ್ಥಾನವನ್ನು ಹೊಂದಿದ ಮತ್ತು ಬೀದರ್, ಗುಲಬರ್ಗಾ, ರಾಯಚೂರು ಮತ್ತು ಯಾದಗಿರಿ ಜಿಲ್ಲೆಗಳ ಪ್ರದೇಶದ ಮೇಲೆ ಪ್ರಾದೇಶಿಕ ಅಧಿಕಾರ ವ್ಯಾಪ್ತಿಯನ್ನು ಹೊಂದಿರುವ ಗುಲಬರ್ಗಾ ವಿಶ್ವವಿದ್ಯಾನಿಲಯ; ಪರಂತು, ಇಡೀ ರಾಜ್ಯಕ್ಕೆ ವಿಶ್ವವಿದ್ಯಾನಿಲಯದ ಅಧಿಕಾರವ್ಯಾಪ್ತಿಯನ್ನು ವಿಸ್ತರಿಸುವ ಉದ್ದೇಶಕ್ಕಾಗಿ ಒಂದು ವಿಸ್ತರಣಾ ಕೇಂದ್ರವನ್ನು ಮಂಡ್ಯದಲ್ಲಿ ಸ್ಥಾಪಿಸತಕ್ಕದ್ದು:

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(1ಬಿ) ಮಂಡ್ಯದಲ್ಲಿ ಕೇಂದ್ರ ಕಾರ್ಯಸ್ಥಾನವನ್ನು ಹೊಂದಿರುವ ಮತ್ತು ಸರ್ಕಾರಿ ಕಾಲೇಜು (ಸ್ವಾಯತ್ತ), ಮಂಡ್ಯ ಇದರ ಮೇಲೆ ಪ್ರಾದೇಶಿಕ ಅಧಿಕಾರ ವ್ಯಾಪ್ತಿಯನ್ನು ಹೊಂದಿರುವ ಒಂದು ಏಕಾತ್ಮಕ ಸ್ವರೂಪದ ಮಂಡ್ಯ ವಿಶ್ವವಿದ್ಯಾನಿಲಯ, ಮಂಡ್ಯ ಇದನ್ನು ಸ್ಥಾಪಿಸತಕ್ಕದ್ದು."

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5. ಅಧಿಕಾರ ವ್ಯಾಪ್ತಿ, ವಿಶೇಷಾಧಿಕಾರ ಇತ್ಯಾದಿಗಳಿಗೆ ಪ್ರವೇಶಾವಕಾಶ.-

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(12) ಕರ್ನಾಟಕ ರಾಜ್ಯ ವಿಶ್ವವಿದ್ಯಾನಿಲಯಗಳ (ತಿದ್ದುಪಡಿ) ಅಧಿನಿಯಮ, 2019ರ ಪ್ರಾರಂಭಕ್ಕೆ ಮೊದಲು ಸರ್ಕಾರಿ ಕಾಲೇಜು (ಸ್ವಾಯತ್ತ) ಮಂಡ್ಯ ಇದು ಮೈಸೂರು ವಿಶ್ವವಿದ್ಯಾನಿಲಯದಿಂದ ಅನುಭವಿಸುತ್ತಿರುವ ಯಾವುದೇ ವಿಶೇಷಾಧಿಕಾರವನ್ನು, ರಾಜ್ಯ ಸರ್ಕಾರವು ಈ ಸಂಬಂಧದಲ್ಲಿ ನಿರ್ದಿಷ್ಟಪಡಿಸಬಹುದಾದ ಅಂಥ ದಿನಾಂಕದಿಂದ ಜಾರಿಗೆ ಬರುವಂತೆ ಹಿಂತೆಗೆದುಕೊಳ್ಳಲಾಗಿದೆ ಎಂದು ಭಾವಿಸತಕ್ಕದ್ದು ಮತ್ತು ಸರ್ಕಾರಿ ಕಾಲೇಜು (ಸ್ವಾಯತ್ತ) ಮಂಡ್ಯ ಇದು ಮಂಡ್ಯ ವಿಶ್ವವಿದ್ಯಾನಿಲಯದ ಘಟಕ ಕಾಲೇಜು ಅಥವಾ ವಿದ್ಯಾಲಯವಾಗಿ ಸದರಿ ವಿಶ್ವವಿದ್ಯಾನಿಲಯದ ವಿಶೇಷಾಧಿಕಾರಗಳಿಗೆ ಪ್ರವೇಶ ಪಡೆದುಕೊಂಡಿವೆ ಎಂದು ಭಾವಿಸತಕ್ಕದ್ದು.

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14. ಕುಲಪತಿ.- (1) ಕುಲಪತಿಯು ವಿಶ್ವವಿದ್ಯಾನಿಲಯದ ಪೂರ್ಣಕಾಲಿಕ ಅಧಿಕಾರಿಯಾಗಿರತಕ್ಕದ್ದು.

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(4) ಶೋಧನಾ ಸಮಿತಿಯು, ಖ್ಯಾತ ಶಿಕ್ಷಣ ತಜ್ಞರಾದ ಮೂರು ವ್ಯಕ್ತಿಗಳ ಒಂದು ಪಟ್ಟಿಯನ್ನು ಅಕಾರಾದಿ ಕ್ರಮದಲ್ಲಿ ರಾಜ್ಯಸರ್ಕಾರಕ್ಕೆ ಸಲ್ಲಿಸತಕ್ಕದ್ದು ಮತ್ತು ರಾಜ್ಯ ಸರ್ಕಾರವು ಆ ಪಟ್ಟಿಯನ್ನು ಕುಲಾಧಿಪತಿಯವರಿಗೆ ಕಳುಹಿಸತಕ್ಕದ್ದು, ಅವರು ಅರ್ಹತೆ, ಸಮದರ್ಶಿತ್ವ ಮತ್ತು ಸಾಮಾಜಿಕ ನ್ಯಾಯ ಇವುಗಳನ್ನು ಗಮನದಲ್ಲಿಟ್ಟುಕೊಂಡು ಮತ್ತು ರಾಜ್ಯ ಸರ್ಕಾರದ ಸಹಮತಿಯೊಡನೆ ಪಟ್ಟಿಯಿಂದ ಒಬ್ಬ ವ್ಯಕ್ತಿಯನ್ನು ಕುಲಪತಿಯಾಗಿ ನೇಮಕ ಮಾಡತಕ್ಕದ್ದು:

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KARNATAKA LEGISLATIVE ASSEMBLY

FIFTEENTH LEGISLATIVE ASSEMBLY

SIXTH SESSION

**THE KARNATAKA STATE UNIVERSITIES (AMENDMENT) BILL, 2020
(LA Bill No. 09 of 2020)**

A Bill further to amend the Karnataka State Universities Act, 2000.

Whereas it is expedient further to amend the Karnataka State Universities Act, 2000 (Karnataka Act 29 of 2001) for the purposes hereinafter appearing:

Be it enacted by the Karnataka State Legislature in the seventy first year of the Republic of India as follows:-

1. Short title and commencement.- This Act may be called the Karnataka State Universities (Amendment) Act, 2020.

(2) It shall come into force on such date as the State Government may, by notification, in the Official Gazette, appoint.

2. Amendment of section 3.- In the Karnataka State Universities Act, 2000 (Karnataka Act 29 of 2001) (hereinafter referred to as the principal Act), in section 3,-

(1) in sub-section (1), in clause (b), for the words, "the districts of Bidar, Gulbarga, Raichur and Yadagiri", the words "the districts of Bidar and Kalaburagi" shall be substituted;

(2) after sub-section (1I), the following shall be inserted, namely:-

"(1J) There shall be established the Raichur University, as an affiliating University with headquarters at Raichur and territorial jurisdiction extending over the districts of Raichur and Yadagiri."

3. Amendment of section 5.- In section 5 of the principal Act, after sub-section (12), the following shall be inserted, namely:-

"(13) Any privilege enjoyed from the Gulbarga University by the colleges or educational institutions situated in Raichur and Yadagiri districts before the commencement of the Karnataka State Universities (Amendment) Act, 2020 shall, with effect from such date as may be specified by the State Government in this behalf, be deemed to be withdrawn and all such colleges or educational institutions previously admitted to the privileges of, or affiliated to Gulbarga University shall be deemed to be admitted to the privilege of, or affiliated to the Raichur University."

4. Amendment of section 14.- In section 14 of the principal Act, in sub-section (4), after the seventh proviso, the following shall be inserted, namely:-

"Provided also that notwithstanding anything contrary contained in this section, first Vice-Chancellor of the Raichur University shall be appointed by the State Government subject to such terms and conditions as may be specified by it."

5. Powers of Special Officer.- The Special officer appointed by the State Government for the purpose of taking steps to establish the Raichur University, shall exercise such of the powers and perform such of the functions of the University and the Vice-Chancellors as may be specified by the State Government, until the first Vice-Chancellor is appointed.

6. Duties of the first Vice-Chancellor.- (1) It shall be duty of the first Vice-Chancellor, to make arrangements for constituting the Syndicate, Academic Council and other authorities of the Raichur University within six months from the date of commencement of the Karnataka State Universities (Amendment) Act, 2020 (hereinafter referred to as the Amendment Act) or such longer period not exceeding one year as the Chancellor may direct.

(2) The Authorities constituted under sub-section (1) shall commence to exercise, their powers and perform their functions on such date as the Chancellor may specify in this behalf.

7. Transitory provisions.- (1) Notwithstanding anything contained in the Principal Act as amended by the Amendment Act the first Vice-Chancellor may, with the previous approval of the Chancellor, discharge all or any of the

functions of the Raichur University for the purpose of carrying out of the provisions of the Principal Act as amended by the Amendment Act and for that purpose may exercise any power or perform any duty which by the Principal Act as amendment by the Amendment Act is to be exercised or performed by any Authority of the University until such Authority comes into existence as provided by the Principal Act as amended by the Amendment Act.

(2) All Statutes, ordinances, regulations and rules made by the Gulbarga University applicable to the affiliated colleges or other educational institutions which are deemed to be affiliated to the Raichur University under section 5 of the principal Act shall be deemed to be the statutes, ordinances, regulations and rules made by the Raichur University and shall continue as such till the Raichur University makes its own Statutes Ordinance, Regulations and Rules:

Provided that, the Vice-Chancellor may with the approval of the Chancellor make such modification and adaptations therein as he may consider necessary.

8. Savings of certain examination.- Notwithstanding anything contained in the Principal Act as amended by the Amendment Act or the statutes, ordinances, regulations and rules made thereunder, where immediately before the commencement of the Amendment Act,-

- (a) any student studying for a degree of the Gulbarga University in accordance with the statutes, ordinances, regulations and rules in force he may until such examination is provided by the Raichur University, be admitted to the examination of the Gulbarga University and be conferred with the degrees or diplomas for which he qualifies on the result of such examination; and
- (b) the Gulbarga University has held any examination, the result of which has been published but the degrees or diplomas relating there to have not been conferred or issued or the result of any such examination has not been published by the Gulbarga University, then such examination shall be deemed to have been held by the Gulbarga University.

9. Removal of difficulties.- If any difficulty arises in giving effect to the provisions of this Amendment Act, the State Government may, by notification or

by order published in the Official Gazette, make such provisions which are not inconsistent with the provisions of this Amendment Act as appear it to be necessary or expedient for the purposes of removing the difficulty:

Provided that, no such notification or order under this section shall be made after the expiry of the period of two years from the date of commencement of this Amendment Act.

STATEMENT OF OBJECTS AND REASONS

According to Dr. Nanjundappa Committee Report on the regional imbalance, Raichur and Yadagiri districts have the lowest Gross Enrolment ratio in the Karnataka. Gulbarga University is one of the largest universities in terms of affiliated colleges. In order to reduce the unwieldy work load of Gulbarga university and to promote convenience of the students and also to reduce the regional imbalance in the Hyderabad Karnataka Region and for the development of this region it has become imperative to establish a separate university for districts of Raichur and Yadagiri called Raichur University.

Therefore, it is consider necessary to amend the Karnataka State Universities Act, 2000 (Karnataka Act 29 of 2001) to bifurcate the Gulbarga university and to establish the Raichur university with head quarters at Raichur having territorial jurisdiction over the districts of Raichur and Yadagiri.

Hence the Bill.

FINANCIAL MEMORANDUM

There will be an approximate recurring expenditure of Rs. 220.00 lakhs by the proposed legislative measure.

DR. ASHWATH NARAYAN C.N.

Deputy Chief Minister and
Minister for Higher Education,
IT & BT, Science and Technology,
Skill Development, Entrepreneurship
and livelihood

M.K. Vishalakshi
Secretary (I/c)
Karnataka Legislative Assembly

ANNEXURE

**EXTRACT FROM THE KARNATAKA STATE UNIVERSITIES ACT, 2000
(KARNATAKA ACT 29 OF 2001)**

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3. Establishment and Incorporation of Universities.- (1) The Universities established under section 3 of the Karnataka State Universities Act, 1976 shall be deemed to have been established under this Act with their territorial jurisdictions as hereinafter provided namely:-

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(b) The Gulbarga University with headquarters at Gulbarga and territorial jurisdiction extending over the districts of Bidar, Gulbarga, Raichur and Yadagiri.

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(11) There shall be established the Mandya University, Mandya of unitary in nature with head quarters at Mandya and territorial jurisdiction extending over the Government College (Autonomous), Mandya."

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5. Jurisdiction, admission to privileges, etc.-

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(12) Any privilege enjoyed from the Mysuru University by the Government College (Autonomous), Mandya before the date of commencement of the Karnataka State Universities (Amendment) Act, 2019 shall, with effect from such date as may be specified by the State Government in this behalf, be deemed to be withdrawn and the Government College (Autonomous), Mandya shall be deemed to be admitted to the privileges of the Mandya University as constituent college or a school of the said University .

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14. The Vice-Chancellor.-

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(4) The Search Committee shall submit to the State Government a panel of three persons who are eminent academicians, in the alphabetical order. The State Government shall forward the panel to the Chancellor who shall keeping in view

merit, equity and social justice and with the concurrence of the State Government, appoint one person from the panel as the Vice-Chancellor.

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PR-107



ಕರ್ನಾಟಕ ವಿಧಾನಸಭೆ
ಹದಿನೈದನೇ ವಿಧಾನಸಭೆ
ಆರನೇ ಅಧಿವೇಶನ

No: KLA/LGA/10/Bill/2020, Bengaluru, Dated : 02.03.2020

The following Bill was introduced in Legislative Assembly on 02.03.2020
ಕರ್ನಾಟಕ ಉನ್ನತ ಶೈಕ್ಷಣಿಕ ಸಂಸ್ಥೆಗಳಲ್ಲಿ ಶಿಕ್ಷಕರ ವೇತನ ಮತ್ತು ನಿವೃತ್ತಿ ವೇತನದ ನಿಯಂತ್ರಣ ವಿಧೇಯಕ, 2020
(2020ರ ವಿಧಾನಸಭೆಯ ವಿಧೇಯಕ ಸಂಖ್ಯೆ-10)

ಸರ್ಕಾರಿ ಕಾಲೇಜುಗಳಲ್ಲಿ, ಕಾನೂನಿನ ಮೂಲಕ ಸ್ಥಾಪನೆಯಾದ ವಿಶ್ವವಿದ್ಯಾಲಯಗಳಲ್ಲಿ ಹಾಗೂ ರಾಜ್ಯ ಸರ್ಕಾರದ ನಿಯಂತ್ರಣದಡಿಯಲ್ಲಿರುವ ಸರ್ಕಾರಿ ಅನುದಾನಿತ ಉನ್ನತ ಶೈಕ್ಷಣಿಕ ಸಂಸ್ಥೆಗಳಲ್ಲಿ ಕಾರ್ಯನಿರ್ವಹಿಸುತ್ತಿರುವ ಶಿಕ್ಷಕರಿಗೆ ಅನ್ವಯವಾಗುವ ವೇತನ, ನಿವೃತ್ತಿ ವೇತನ ಮತ್ತು ನಿವೃತ್ತಿ ವೇತನ ಪ್ರಯೋಜನಗಳನ್ನು ನಿಯಂತ್ರಿಸಲು ಒಂದು ವಿಧೇಯಕ.

ಭಾರತ ಸಂವಿಧಾನದ 309ನೇ ಅನುಚ್ಛೇದದ ಉಪಬಂಧಗಳ ಅಡಿಯಲ್ಲಿ ಮತ್ತು ಭಾರತ ಸಂವಿಧಾನದ ಏಳನೇ ಅನುಸೂಚಿಯ IIನೇ ಪಟ್ಟಿಯ 14, 32 ಮತ್ತು 41ನೇ ನಮೂದುಗಳ ಅಡಿಯಲ್ಲಿ ಹಾಗೂ IIIನೇ ಪಟ್ಟಿಯ 25ನೇ ನಮೂದಿನ ಅಡಿಯಲ್ಲಿ, ರಾಜ್ಯ ವಿಧಾನಮಂಡಲವು ಸಾರ್ವಜನಿಕ ಸೇವೆಗಳಿಗೆ ಹಾಗೂ ಕರ್ನಾಟಕ ಸರ್ಕಾರದ ಮಾಧ್ಯಮಗಳೊಂದಿಗೆ ಸಂಬಂಧಿಸಿದ ಹುದ್ದೆಗಳಿಗೆ ನೇಮಕವಾದ ವ್ಯಕ್ತಿಗಳ ಸೇವಾಷರತ್ತುಗಳನ್ನು ಕಾನೂನಿನ ಮೂಲಕ ನಿಯಂತ್ರಿಸಬಹುದಾಗಿರುವುದರಿಂದ;

ರಾಜ್ಯ ಸರ್ಕಾರ ಅಥವಾ ಅನುದಾನಿತ ಕಾಲೇಜುಗಳು ಅಥವಾ ಸಂಸ್ಥೆಗಳ ಮೂಲಕ ನಿಯೋಜಿತರಾದ ಯುಜಿಸಿ/ಎಐಸಿಟಿಇ/ಐಸಿಎಆರ್ ಅಥವಾ ಮಾರ್ಪಡಿತ ಎಐಸಿಟಿಇ ವೇತನ ಶ್ರೇಣಿಗಳನ್ನು ಪಡೆಯುತ್ತಿರುವ ಉನ್ನತ ಶಿಕ್ಷಣ ಸಂಸ್ಥೆಗಳ ಹುದ್ದೆಯೊಂದರಲ್ಲಿ ಕಾರ್ಯನಿರ್ವಹಿಸಲು ನೇಮಕವಾದ ಶಿಕ್ಷಕರೊಬ್ಬರು ಆ ಹುದ್ದೆಯ ಪೂರ್ವಭಾವ್ಯ ವೇತನವನ್ನು ಪಡೆಯಲು ಹಕ್ಕುಳ್ಳವರಾಗಿರುತ್ತಾರೆ ಮತ್ತು ಅಂಥ ಶಿಕ್ಷಕನ ವೇತನ ಮತ್ತು ನಿವೃತ್ತಿ ವೇತನ ಪ್ರಯೋಜನಗಳು, ನಿವೃತ್ತಿಯ ಅಥವಾ ವಯೋನಿವೃತ್ತಿಯ ಅಥವಾ ಸಂದರ್ಭಾನುಸಾರವಾಗಿ ಮರಣದ ಸಮಯದಲ್ಲಿ ನಿವೃತ್ತಿವೇತನದ ಮಂಜೂರಾತಿಯನ್ನು ನಿಯಂತ್ರಿಸುವ ಅನ್ವಯವಾಗುವ ನಿಯಮಗಳು/ ಆದೇಶಗಳಿಗನುಸಾರವಾಗಿ ನಿರ್ಧರಿಸಲಾಗುವುದರಿಂದ;

ಯುಜಿಸಿ/ಐಸಿಎಆರ್/ಎಐಸಿಟಿಇ ಅಥವಾ ಮಾರ್ಪಡಿತ ಎಐಸಿಟಿಇ ವೇತನ ಶ್ರೇಣಿಗಳ ನಿವೃತ್ತ ಶಿಕ್ಷಕರು ನಿವೃತ್ತಿ ವೇತನ ಮತ್ತು ನಿವೃತ್ತಿ ವೇತನ ಪ್ರಯೋಜನಗಳ ಉದ್ದೇಶಕ್ಕಾಗಿ ರಾಜ್ಯ ಸರ್ಕಾರದ ಉಳಿದ ಸರ್ಕಾರಿ ನಿವೃತ್ತಿದಾರರಿಗೆ ತತ್ಸಮಾನರಾಗಿರುತ್ತಾರೆ. ಮುಂದುವರೆದು, ರಾಜ್ಯ ಸರ್ಕಾರವು ನಿರ್ವಹಿಸಿ ಅನುದಾನ ನೀಡುತ್ತಿರುವ ಸಂಸ್ಥೆಗಳಲ್ಲಿ

ಕಾರ್ಯನಿರ್ವಹಿಸುತ್ತಿರುವ ಯುಜಿಸಿ/ಐಸಿಎಆರ್/ಎಐಸಿಟಿಇ ಅಥವಾ ಮಾರ್ಪಡಿತ ಎಐಸಿಟಿಇ ವೇತನ ಶ್ರೇಣಿಗಳಲ್ಲಿನ ಶಿಕ್ಷಕರು ಮತ್ತು ತತ್ಸಮಾನ ವೃಂದದ ಸಿಬ್ಬಂದಿಯ ನಿವೃತ್ತಿ ವೇತನ ಮತ್ತು ನಿವೃತ್ತಿ ವೇತನ ಪ್ರಯೋಜನಗಳನ್ನು ರಾಜ್ಯ ಸರ್ಕಾರದ ನಿಯಮಗಳ ಅನುಸಾರವಾಗಿ ನಿರ್ಧರಿಸತಕ್ಕದ್ದು ಎನ್ನುವುದು ಕೂಡಾ ರಾಜ್ಯ ಸರ್ಕಾರದ ಸ್ಥಾಪಿತ ನೀತಿಯಾಗಿರುತ್ತದೆ. ನಿವೃತ್ತಿ ವೇತನದ ಸಂಬಂಧದಲ್ಲಿ cut-off ದಿನಾಂಕವನ್ನು ವೇತನ ಪರಿಷ್ಕರಣೆಯ ಬಹುದೊಡ್ಡ ಹಣಕಾಸಿನ ತೊಡಕುಗಳು ಮತ್ತು ಕೇಂದ್ರ ಸರ್ಕಾರದ ಹಣಕಾಸಿನ ನೆರವು, ಮುಂತಾದವುಗಳು ಯಾವುದಾದರೂ ಇದ್ದಲ್ಲಿ ಅಂಥ ಇತರ ಸಂಬಂಧಪಟ್ಟ ಅಂಶಗಳನ್ನು ಪರಿಗಣನೆಗೆ ತೆಗೆದುಕೊಂಡು ನಿರ್ಧರಿಸಲಾಗುವುದರಿಂದ;

ಪೂರ್ವಭಾವಿ ನೀತಿಯ ವಿಷಯದಂತೆ, ತರುವಾಯದ ವೇತನ ಪರಿಷ್ಕರಣೆಯ cut-off ದಿನಾಂಕಕ್ಕೆ ಮೊದಲು ನಿವೃತ್ತರಾದ ನಿವೃತ್ತ ಶಿಕ್ಷಕರ ನಿವೃತ್ತಿ ವೇತನವು, ರಾಜ್ಯ ಸರ್ಕಾರದ ನಿರ್ಧಾರದ ಅನುಸಾರವಾಗಿ ಸಂವಾದಿ ವೇತನ ಶ್ರೇಣಿಗಳ ಪರಿಷ್ಕರಣೆಯ ಜಾರಿಯಾದಾಗಲೆಲ್ಲಾ, ಮತ್ತಷ್ಟು ಪರಿಷ್ಕರಣೆಗೆ ಒಳಪಡಬೇಕಾಗಿರುವುದರಿಂದ;

ಉನ್ನತ ಶಿಕ್ಷಣದ ಸಂಬಂಧದಲ್ಲಿ ಶೈಕ್ಷಣಿಕ ವಿಷಯಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಉನ್ನತ ಶಿಕ್ಷಣ ಪರಿಷತ್ತು ರಾಜ್ಯ ಸರ್ಕಾರಕ್ಕೆ ಸಲಹಾ ಸಮಿತಿಯಾಗಿರುವುದು ಮತ್ತು ಉನ್ನತ ಶೈಕ್ಷಣಿಕ ಸಂಸ್ಥೆಗಳ ಶಿಕ್ಷಕರ ವೇತನ ಅಥವಾ ನಿವೃತ್ತಿ ವೇತನದ ಪರಿಷ್ಕರಣೆಯ ಕುರಿತು ಶಿಫಾರಸ್ಸು ಮಾಡಲು ಅಥವಾ ಸಲಹೆ ನೀಡಲು ಕರ್ನಾಟಕ ರಾಜ್ಯ ಉನ್ನತ ಶಿಕ್ಷಣ ಪರಿಷತ್ತು ಅಧಿನಿಯಮ, ೨೦೧೦ರ (೨೦೧೦ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ ೨೬) ಅಡಿಯಲ್ಲಿ ಸದರಿ ಪರಿಷತ್ತಿಗೆ ಯಾವುದೇ ಅಧಿಕಾರವನ್ನು ನೀಡಲಾಗಿರುವುದಿಲ್ಲ. ಪರಿಷತ್ತಿನ ಯಾವುದೇ ಸೂಚನೆ ಅಥವಾ ಸಲಹೆಯು ರಾಜ್ಯ ಸರ್ಕಾರದ ಮೇಲೆ ಬದ್ಧಕಾರಿಯಾಗಿರುವುದಿಲ್ಲವಾದ್ದರಿಂದ;

ಸರ್ಕಾರವು ದಿನಾಂಕ:24.07.2015ರ ಸರ್ಕಾರಿ ಆದೇಶದಲ್ಲಿ, 01-01-2006ಕ್ಕೂ ಮೊದಲಿನ ನಿವೃತ್ತಿದಾರರಿಗೆ 2006ರ ಯುಜಿಸಿ ವೇತನ ಶ್ರೇಣಿಯನ್ನು ವಿಸ್ತರಿಸುವ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಉನ್ನತ ಶಿಕ್ಷಣ ಪರಿಷತ್ತಿನ ಶಿಫಾರಸ್ಸನ್ನು ತಿರಸ್ಕರಿಸಿದೆ. ರಿಟ್ ಪೀಟಿಷನ್ ಸಂಖ್ಯೆ:775-787/2015 (ಎಸ್-ಆರ್) ಮೂಲಕ ಕರ್ನಾಟಕದ ಮಾನ್ಯ ಉಚ್ಚ ನ್ಯಾಯಾಲಯದಲ್ಲಿ ಪ್ರಶ್ನಿಸಲಾಗಿದ್ದು ಸದರಿ ರಿಟ್ ಪೀಟಿಷನ್ ಅನ್ನು ಪುರಸ್ಕರಿಸಿ, ಕರ್ನಾಟಕದ ಮಾನ್ಯ ಉಚ್ಚ ನ್ಯಾಯಾಲಯವು ಈ ರೀತಿ ಅಭಿಪ್ರಾಯ ಪಟ್ಟಿರುವುದರಿಂದ, ಎಂದರೆ:-

“The State is required to demonstrate that the case of the petitioners falls under Category II as enunciated by their Lordships in V.Kasturi (supra). The meaning of the words “permissible in law” in this context means the inherently differentiable separate classification in law, projected as Category II in V. Kasturi (supra). The State has failed to point out that the fixing of cut-off date was inherently permissible under a specific provision of Law. No justifiable reason or rationale in fixing the cut-off date is provided by the State, except pointing out to the effective date fixed in the Government Order dated: 24.12.2009 of Government of India and communicated dated: 11.03.2010, issued by the Ministry of Human Resources Development. The artificial classification by fixing a cut-off date is nothing but creating a class with a class, which is not permissible. The law laid down in Nakara (supra) that the object sought to be achieved was not to create a class within a class, but to ensure that the benefits of pension were made available to all persons of the same class, continues

to hold the field even to this date. The artificial classification sought to be made by the State does not satisfy the test of Article 14.”

ಬಿ.ಜೆ.ಅಕ್ಕರ ಮತ್ತು ಇತರರು ವಿರುದ್ಧ ಭಾರತ ಸರ್ಕಾರ ಮತ್ತು ಇತರರು [(2006) 11 ಎಸ್‌ಸಿಸಿ 709] ಈ ವಿಷಯದಲ್ಲಿ ಭಾರತದ ಮಾನ್ಯ ಸರ್ವೋಚ್ಚ ನ್ಯಾಯಾಲಯವು ನಿವೃತ್ತಿ ವೇತನ ನಿಗದಿ ಮತ್ತು ನಿವೃತ್ತಿ ವೇತನ ಮಂಜೂರಾತಿಯ ಕೆಲವು ಸುನಿಶ್ಚಿತವಾದ ತತ್ವಗಳನ್ನು ವಿವರಿಸಿದ್ದು, ಅದಕ್ಕನುಸಾರವಾಗಿ, ನಿರ್ದಿಷ್ಟ ದರ್ಜೆಯಲ್ಲಿ ನಿವೃತ್ತರಾಗುವ ಎಲ್ಲಾ ನಿವೃತ್ತಿದಾರರು ಎಲ್ಲಾ ಉದ್ದೇಶಗಳಿಗಾಗಿ ಏಕ ವರ್ಗವಾಗಿ ರೂಪುಗೊಳ್ಳುವುದಿಲ್ಲ. ವೇತನದ ವ್ಯತ್ಯಾಸದ ಹಿನ್ನೆಲೆಯಲ್ಲಿ ಅಥವಾ ಜಾರಿಯಲ್ಲಿರುವ ವಿವಿಧ ವೇತನ ಶ್ರೇಣಿಗಳ ಹಿನ್ನೆಲೆಯಲ್ಲಿ ನಿವೃತ್ತಿಯ ಸಮಯದಲ್ಲಿ ಸರಾಸರಿ ಲೆಕ್ಕಹಾಕಬಹುದಾದ ಉಪದಾನಗಳು ಇದ್ದಲ್ಲಿ ಒಂದೇ ದರ್ಜೆಯಲ್ಲಿ ನಿವೃತ್ತರಾದ ನಿವೃತ್ತಿದಾರರಿಗೆ ಒಂದೇ ತೆರನಾದ ನಿವೃತ್ತಿ ವೇತನವನ್ನು ನೀಡಬೇಕಾಗಿಲ್ಲ. ಮೇಲಿನ ಪ್ರಕರಣದಲ್ಲಿ ಮಾನ್ಯ ಅಪೆಲ್ಸ್ ನ್ಯಾಯಾಲಯವು ವಿವರಿಸಿದ ತತ್ವಗಳೂ ಕೂಡಾ ರಾಜ್ಯ ನೀತಿಯ ಅನುಸಾರವಾಗಿರುವುದರಿಂದ;

ಜಗದೀಶ್ ಪ್ರಸಾದ್ ಶರ್ಮಾ ಮತ್ತು ಇತರರು ವಿರುದ್ಧ ಬಿಹಾರ ರಾಜ್ಯ ಮತ್ತು ಇತರರು ಇದರಲ್ಲಿ (2013) 8ಎಸ್‌ಸಿಸಿ 633ರಲ್ಲಿ ವರದಿಯಾದಂತೆ, ಅಪೆಲ್ಸ್ ನ್ಯಾಯಾಲಯವು ಯುಜಿಸಿ ವಿನಿಯಮಗಳು ರಾಜ್ಯದ ಮೇಲೆ ಸ್ವಯಂಚಾಲಿತವಾಗಿ ಬದ್ಧಕಾರಿಯಾಗಿರುವುದಿಲ್ಲ. ಯುಜಿಸಿ ವಿನಿಯಮಗಳು ಶಾಸನಬದ್ಧ ಬಲವಿದ್ದಾಗ್ಯೂ ಅಂಥ ನಿಯಮಗಳು ರಾಜ್ಯದ ಸಮಗ್ರ ಅಧಿಕಾರವನ್ನು ಮೊಟಕುಗೊಳಿಸಲು ಸಾಧ್ಯವಿಲ್ಲವಾದ್ದರಿಂದ ಪ್ರಸ್ತುತ ವಾಸ್ತವತೆಯಲ್ಲಿ ಸನ್ನಿವೇಶವು ರಾಜ್ಯ ನೀತಿಯ ವ್ಯಾಪ್ತಿಯೊಳಗೆ ಬರುವುದರಿಂದ ಮತ್ತು ಜಗದೀಶ್ ಪ್ರಸಾದ್ ಶರ್ಮಾ ಪ್ರಕರಣದಲ್ಲಿ ಉಲ್ಲೇಖಿಸಿದಂತೆ ಅನುಸರಿಸುವಲ್ಲಿ 01.01.2006ಕ್ಕೂ ಮೊದಲು ನಿವೃತ್ತರಾಗಿರುವ ಶಿಕ್ಷಕರಿಗೆ ಪರಿಷ್ಕೃತ ನಿವೃತ್ತಿ ವೇತನ ಪ್ರಯೋಜನಗಳನ್ನು ವಿಸ್ತರಿಸಲಾಗುವುದಿಲ್ಲ ಎಂಬುದು ರಾಜ್ಯದ ನೀತಿ ನಿರ್ಣಯವಾಗಿರುವುದರಿಂದ;

ಕೇಂದ್ರ ಸರ್ಕಾರವು ದಿನಾಂಕ: 11.03.2010ರ ಪತ್ರದಲ್ಲಿ 01.01.2006ಕ್ಕೂ ಮೊದಲು ನಿವೃತ್ತರಾದ ರಾಜ್ಯ ವಿಶ್ವವಿದ್ಯಾಲಯಗಳು ಮತ್ತು ಕಾಲೇಜುಗಳ ಯುಜಿಸಿ ವೇತನ ಶ್ರೇಣಿಯಲ್ಲಿರುವ ಶಿಕ್ಷಕರಿಗೆ ದಿನಾಂಕ: 11.03.2010ರ ಪತ್ರದಲ್ಲಿ ಉದ್ದೇಶಿಸಿರುವಂತೆ ನಿವೃತ್ತಿ ವೇತನ ಸ್ವರೂಪದ ಪರಿಷ್ಕರಣೆಯ ಪ್ರಯೋಜನವನ್ನು ನೀಡುವುದು ರಾಜ್ಯ ಸರ್ಕಾರಕ್ಕೆ ಕಡ್ಡಾಯವಾಗಿರುವುದಿಲ್ಲ ಎಂಬುದಾಗಿ ಸೂಚಿಸಿರುತ್ತದೆ ಹಾಗೂ ಅಂತೆಯೇ ರಾಜ್ಯ ಸರ್ಕಾರಕ್ಕೆ ನಿಹಿತವಾಗಿರುವ ವಿವೇಚನಾ ಅಧಿಕಾರಗಳ ಅನುಸಾರವಾಗಿ ಭಾರತ ಸರ್ಕಾರದ ದಿನಾಂಕ: 11.03.2010ರ ಪತ್ರದಂತೆ ಪ್ರಯೋಜನಗಳನ್ನು ನೀಡಲಾಗುವುದಿಲ್ಲವೆಂದು ತೀರ್ಮಾನಿಸಲಾಗಿರುವುದರಿಂದ;

ಭಾರತ ಒಕ್ಕೂಟ ವಿರುದ್ಧ ಎಸ್.ರಾಕೂರ್ [(2009)(1) ಎಸ್‌ಸಿಸಿ (ಎಲ್ & ಎಸ್) 329] ಪ್ರಕರಣದಲ್ಲಿ ಮಾನ್ಯ ಭಾರತ ಸರ್ವೋಚ್ಚ ನ್ಯಾಯಾಲಯವು ಹೇಳಿರುವಂತೆ “ಸ್ವೀಕಾರಾರ್ಹ ಪರಿಷ್ಕೃತ ವೇತನ ಶ್ರೇಣಿಯ ಮೇಲೆ ತೀರ್ಮಾನಿಸುವುದು ಕಾರ್ಯಾಂಗದ ಪ್ರಕಾರ್ಯವಾಗಿದೆ ಹಾಗೂ ಅಂಥ ಆಡಳಿತಾತ್ಮಕ ತೀರ್ಮಾನದ ನ್ಯಾಯಿಕ ಪುನರಾವಲೋಕನದ ವ್ಯಾಪ್ತಿಯು ಸೀಮಿತವಾಗಿದೆ”. ಮುಂದುವರೆದು, ಭಾರತ ಒಕ್ಕೂಟ ವಿರುದ್ಧ ಮಾಣಿಕ್ ಲಾಲ್ ಬ್ಯಾನರ್ಜಿ [2006 ಎಸ್‌ಸಿಸಿ (ಎಲ್ & ಎಸ್) 1959] ಪ್ರಕರಣದಲ್ಲಿ ಮಾನ್ಯ ಅಪೆಲ್ಸ್ ನ್ಯಾಯಾಲಯವು ಹೇಳಿರುವಂತೆ ವೇತನಶ್ರೇಣಿಯನ್ನು ಪರಿಷ್ಕರಿಸುವಾಗ ಹಣಕಾಸು ತೊಡಕಿನ ಆಧಾರದ ಮೇಲೆ cut-off ದಿನಾಂಕವನ್ನು ನಿಗದಿಪಡಿಸುವುದು ಪ್ರಮುಖ ಅಂಶವಾಗಿರುವುದರಿಂದ;

ತರುವಾಯದ ವೇತನ ಪರಿಷ್ಕರಣೆಯ ಆಧಾರದ ಮೇಲೆ ಪೂರ್ವಾನ್ವಯವಾಗಿ ನಿವೃತ್ತಿ ವೇತನ ಮಂಜೂರಾತಿ ಅಥವಾ ನಿವೃತ್ತಿ ವೇತನ ನಿರ್ಧರಣೆಯು ರಾಜ್ಯದ ನೀತಿಗೆ ವಿರುದ್ಧವಾಗಿದೆ ಮತ್ತು ರಾಜ್ಯ ಸರ್ಕಾರವು ರಚಿಸಿದ ನಿಯಮಗಳಿಗೆ ವಿರುದ್ಧವಾಗಿದೆ. ತರುವಾಯದ ವೇತನ ಪರಿಷ್ಕರಣೆಯ ಆಧಾರದ ಮೇಲೆ ಪೂರ್ವಾನ್ವಯವಾಗಿ ನಿವೃತ್ತಿ ವೇತನವನ್ನು ಹೆಚ್ಚಿಸಿ

ಮಂಜೂರು ಮಾಡುವ ಯಾವುದೇ ತೀರ್ಮಾನವು ರಾಜ್ಯ ಸರ್ಕಾರದ ನೀತಿಯಲ್ಲಿ ಇರುವುದಿಲ್ಲ. ತರುವಾಯದ ವೇತನ ಪರಿಷ್ಕರಣೆಯ ದಿನಾಂಕದಂದು ಸೇವೆಯು ಕೊನೆಗೊಳ್ಳಬೇಕಾದ ಶಿಕ್ಷಕರು ಅವರದೇ ಆದ ಪ್ರತ್ಯೇಕ ವರ್ಗವನ್ನು ರಚಿಸಿಕೊಳ್ಳುವರು. ತರುವಾಯದಲ್ಲಿ ವೇತನ ಪರಿಷ್ಕರಿಸಲಾದ ಶಿಕ್ಷಕರೊಂದಿಗೆ ಅವರನ್ನು ಸಮೀಕರಿಸಲು ಸಾಧ್ಯವಾಗುವುದಿಲ್ಲ. ಮುಂದುವರೆದು, ಇದು ದೊಡ್ಡ ಮೊತ್ತಗಳ ಹಣ ಪಾವತಿಯನ್ನು ಒಳಗೊಂಡಿರುವುದು ಹಾಗೂ ರಾಜ್ಯ ಬೊಕ್ಕಸಕ್ಕೆ ಹೆಚ್ಚಿನ ಹಣಕಾಸು ಹೊರೆಯನ್ನು ಉಂಟುಮಾಡುವುದರಿಂದ;

ಮತ್ತು ಯುಜಿಸಿ/ಐಸಿಎಆರ್/ಎಐಸಿಟಿಇ ಹಾಗೂ ಮಾರ್ಪಡಿತ ಎಐಸಿಟಿಇ ವೇತನ ಶ್ರೇಣಿಗಳ ಪರಿಷ್ಕರಣೆಗೂ ಮೊದಲು ನಿವೃತ್ತರಾದ ಶಿಕ್ಷಕರಿಗೆ ನಿವೃತ್ತಿ ವೇತನ ನಿಗದಿ ಮತ್ತು ನಿವೃತ್ತಿ ವೇತನ ಸೌಲಭ್ಯಗಳನ್ನು ಮಂಜೂರು ಮಾಡುವಲ್ಲಿನ ಗೊಂದಲವನ್ನು ಬಗೆಹರಿಸುವುದು ಯುಕ್ತವಾಗಿರುವುದರಿಂದ ಮತ್ತು ಅಗತ್ಯವಾಗಿರುವುದರಿಂದ;

ಇದು ಭಾರತ ಗಣರಾಜ್ಯದ ಎಪ್ಪತ್ತೊಂದನೇ ವರ್ಷದಲ್ಲಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ವಿಧಾನಮಂಡಲದಿಂದ ಈ ಮುಂದಿನಂತೆ ಅಧಿನಿಯಮಿತವಾಗತಕ್ಕದ್ದು:-

1. ಸಂಕ್ಷಿಪ್ತ ಹೆಸರು ಮತ್ತು ಪ್ರಾರಂಭ.- (1) ಈ ಅಧಿನಿಯಮವನ್ನು ಕರ್ನಾಟಕ ಉನ್ನತ ಶೈಕ್ಷಣಿಕ ಸಂಸ್ಥೆಗಳಲ್ಲಿ ಶಿಕ್ಷಕರ ವೇತನ ಮತ್ತು ನಿವೃತ್ತಿ ವೇತನದ ನಿಯಂತ್ರಣ ಅಧಿನಿಯಮ, 2020 ಎಂದು ಕರೆಯತಕ್ಕದ್ದು.

(2) 2, 3, 4, 5, 6 ಮತ್ತು 12ನೇ ಪ್ರಕರಣಗಳು 1ನೇ ಜನವರಿ 1986ರಿಂದ ಜಾರಿಗೆ ಬಂದಿರುವುದಾಗಿ ಭಾವಿಸತಕ್ಕದ್ದು ಮತ್ತು ಉಳಿದ ಉಪಬಂಧಗಳು 17ನೇ ಜನವರಿ 2020 ರಿಂದ ಜಾರಿಗೆ ಬರತಕ್ಕದ್ದು.

2. ಪರಿಭಾಷೆಗಳು.- ಈ ಅಧಿನಿಯಮದಲ್ಲಿ ಅನ್ಯಥಾ ಅಗತ್ಯಪಡಿಸಿದ ಹೊರತು:-

(i) “ಎಐಸಿಟಿಇ” ಎಂದರೆ ಅಖಿಲಭಾರತ ತಾಂತ್ರಿಕ ಶಿಕ್ಷಣ ಪರಿಷತ್ತು ಅಧಿನಿಯಮ, 1987ರ (1987ರ ಕೇಂದ್ರ ಅಧಿನಿಯಮ 52) ಅಡಿಯಲ್ಲಿ ಸ್ಥಾಪಿಸಿದ ಅಖಿಲ ಭಾರತ ತಾಂತ್ರಿಕ ಶಿಕ್ಷಣ ಪರಿಷತ್ತು;

(ii) “ಕಾಲೇಜು” ಯಾವುದೇ ವಿಶ್ವವಿದ್ಯಾಲಯ ಅಥವಾ ವಿಶ್ವವಿದ್ಯಾಲಯದ ಘಟಕ ಕಾಲೇಜಿನ ಮೂಲಕ ನಿರ್ವಹಿಸುತ್ತಿರುವ ಅಥವಾ ಅನುಮೋದಿಸಿದ ಅಥವಾ ಸಂಯೋಜನೆಗೊಂಡ ಮತ್ತು ವಿಶ್ವವಿದ್ಯಾಲಯದ ಪರೀಕ್ಷೆಗೆ ಅಧ್ಯಯನ ಕೋರ್ಸುಗಳನ್ನು ಒದಗಿಸುತ್ತಿರುವ ಯಾವುದೇ ಕಾಲೇಜು ಅಥವಾ ಸಂಸ್ಥೆ ಹಾಗೂ ರಾಜ್ಯ ಸರ್ಕಾರದ ಮೂಲಕ ಪ್ರಮುಖವಾಗಿ ಅಥವಾ ಭಾಗಶಃ ಅನುದಾನ ಪಡೆಯುತ್ತಿರುವ ಅಥವಾ ರಾಜ್ಯದ ನಿಯಂತ್ರಣದಲ್ಲಿರುವ ಸ್ವಾಯತ್ತ ಕಾಲೇಜನ್ನು ಒಳಗೊಳ್ಳುವುದು ಮತ್ತು ಸರ್ಕಾರಿ/ಅನುದಾನಿತ ಕಾಲೇಜುಗಳು ಮತ್ತು ಪಾಲಿಟೆಕ್ನಿಕ್ ಸಂಸ್ಥೆಗಳನ್ನು ಒಳಗೊಳ್ಳುವುದು;

(iii) “ಸಕ್ಷಮ ಪ್ರಾಧಿಕಾರ” ಎಂದರೆ ಸರ್ಕಾರಿ ಕಾಲೇಜುಗಳಲ್ಲಿ, ವಿಶ್ವವಿದ್ಯಾಲಯಗಳಲ್ಲಿ ಅಥವಾ ಅನುದಾನಿತ ಸಂಸ್ಥೆಗಳಲ್ಲಿನ ಶಿಕ್ಷಕರ ವೇತನ ಮತ್ತು ನಿವೃತ್ತಿ ವೇತನವನ್ನು ನಿಯಂತ್ರಿಸಲು ಆದೇಶಗಳನ್ನು ಮಾಡುವುದಕ್ಕೆ ಸಕ್ಷಮವಾದ ರಾಜ್ಯ ಸರ್ಕಾರ ಅಥವಾ ಇತರ ಪ್ರಾಧಿಕಾರ;

(iv) “ಸರ್ಕಾರ” ಎಂದರೆ ಕರ್ನಾಟಕ ಸರ್ಕಾರ;

(v) “ಉನ್ನತ ಶಿಕ್ಷಣ ಸಂಸ್ಥೆಗಳು” ಎಂದರೆ ವೃತ್ತಿಪರ, ತಾಂತ್ರಿಕ ಅಥವಾ ಅನ್ಯತಾ ವಿಶ್ವವಿದ್ಯಾಲಯದ ಮೂಲಕ ನಿರ್ವಹಿಸುತ್ತಿರುವ ಅಥವಾ ವಿಶ್ವವಿದ್ಯಾಲಯದ ಸವಲತ್ತುಗಳಿಗೆ ಒಳಪಡುವ ಹಾಗೂ ಸಂಶೋಧನಾ ಅಧ್ಯಯನಗಳನ್ನು ಒಳಗೊಂಡ ಸಂಶೋಧನೆಗೆ ನೆರವಾಗುವ ಉನ್ನತ ಶಿಕ್ಷಣದ ಶೈಕ್ಷಣಿಕ ಸಂಸ್ಥೆ ಅಥವಾ ವಿಶ್ವವಿದ್ಯಾಲಯಕ್ಕೆ ಸಂಯೋಜನೆಗೊಂಡ ಸಂಸ್ಥೆ, ಅನುದಾನಿತ ಸಂಸ್ಥೆಗಳು ಮತ್ತು ರಾಜ್ಯದಿಂದ ಅನುದಾನ ಪಡೆಯುವ ಸಂಸ್ಥೆಗಳು;

(vi) “ಐಸಿಎಆರ್” ಎಂದರೆ ಭಾರತೀಯ ಕೃಷಿ ಅನುಸಂಧಾನ ಪರಿಷತ್ತು;

(vii) “ವೇತನ” ಎಂದರೆ ಹುದ್ದೆಗೆ ಲಗತ್ತಾದ ಮೂಲ ವೇತನ ಮತ್ತು ಕರ್ನಾಟಕ ಸಿವಿಲ್ ಸೇವಾ ನಿಯಮಗಳ 8ನೇ ನಿಯಮದ (32)ನೇ ಖಂಡದಲ್ಲಿ ಹೇಳಲಾದ ಅದೇ ಅರ್ಥವನ್ನು ಹೊಂದಿರತಕ್ಕದ್ದು ಆದರೆ ಯುಜಿಸಿ/ಐಸಿಎಆರ್/ಎಐಸಿಟಿಇ

ಅಥವಾ ಸಂದರ್ಭಾನುಸಾರವಾಗಿ ಮಾರ್ಪಡಿತ ಎಣಿಸಿಣ ಸಂಬಂಧಿತ ಉಪಬಂಧಗಳ ಅಡಿಯಲ್ಲಿ ಮಂಜೂರಾದ ನಿವೃತ್ತಿ ವೇತನೇತರ ಭತ್ಯೆ(ಎನ್‌ಪಿಎ) ಮತ್ತು ಇತರ ವಿಶೇಷ ಭತ್ಯೆಗಳನ್ನು ಒಳಗೊಂಡಿರತಕ್ಕದ್ದಲ್ಲ;

(viii) “ನಿವೃತ್ತಿ ವೇತನ” ಎಂದರೆ ಕರ್ನಾಟಕ ಸಿವಿಲ್ ಸೇವಾ ನಿಯಮಗಳ 8ನೇ ನಿಯಮದ (33)ನೇ ಖಂಡದಲ್ಲಿ ಅಥವಾ ಸಕ್ಷಮ ಪ್ರಾಧಿಕಾರದ ಮೂಲಕ ಹೊರಡಿಸಿದ ನಿವೃತ್ತಿ ವೇತನದ ಮಂಜೂರಾತಿಯನ್ನು ನಿರ್ವಹಿಸುವ ಸಂಬಂಧಿತ ನಿಯಮಗಳು ಅಥವಾ ಆದೇಶಗಳಲ್ಲಿ ಪರಿಭಾಷಿಸಿದ ನಿವೃತ್ತಿ ವೇತನ:

(ix) “ನಿಯಮಿಸಲಾದ” ಎಂದರೆ ಸರ್ಕಾರದ ಮೂಲಕ ಮಾಡಲಾದ ನಿಯಮಗಳ ಮೂಲಕ ನಿಯಮಿಸಲಾದುದು;

(x) “ಪ್ರಾಂಶುಪಾಲ” ಎಂದರೆ ಯಾವುದೇ ಹೆಸರಿನಿಂದ ಕರೆಯಲಾಗುವ ಕಾಲೇಜು ಅಥವಾ ಸಂಸ್ಥೆಯ ಮುಖ್ಯಸ್ಥ;

(xi) “ಶಿಕ್ಷಕ” ಎಂದರೆ ಪ್ರಾಧ್ಯಾಪಕ, ಸಹ ಪ್ರಾಧ್ಯಾಪಕ, ಸಹಾಯಕ ಪ್ರಾಧ್ಯಾಪಕ, ಉಪನ್ಯಾಸಕ, ಗ್ರಂಥಪಾಲಕರು, ರೀಡರ್ ಅಥವಾ ದೈಹಿಕ ಶಿಕ್ಷಣ ಸಿಬ್ಬಂದಿ ಎಂಬ ಯಾವುದೇ ಹೆಸರಿನಿಂದ ಕರೆಯಲಾಗುವ ಬೋಧಕ ಹುದ್ದೆಗಳ ಯಾವುದೇ ವರ್ಗಕ್ಕೆ ನೇಮಿಸಿದ ವ್ಯಕ್ತಿ ಮತ್ತು ಅನುಕ್ರಮವಾಗಿ ಯುಜಿಸಿ/ಐಸಿಎಆರ್/ಎಐಸಿಐ ಅಥವಾ ಮಾರ್ಪಡಿತ ಎಣಿಸಿಣ ವೇತನ ಶ್ರೇಣಿಯ ಹುದ್ದೆಯನ್ನು ಹೊಂದಿರುವ ಉನ್ನತ ಶಿಕ್ಷಣ ಸಂಸ್ಥೆಗಳಲ್ಲಿನ ಪ್ರಾಂಶುಪಾಲ, ಅಥವಾ ಸಂಸ್ಥೆಯ ಮುಖ್ಯಸ್ಥರನ್ನು ಸೇರಿಕೊಂಡ ಎಲ್ಲಾ ಸಿಬ್ಬಂದಿಯನ್ನು ಒಳಗೊಳ್ಳುವುದು;

(xii) “ಯುಜಿಸಿ” ಎಂದರೆ ವಿಶ್ವವಿದ್ಯಾಲಯ ಅನುದಾನಗಳ ಆಯೋಗ ಅಧಿನಿಯಮ, 1956ರ (1956ರ ಕೇಂದ್ರ ಅಧಿನಿಯಮ 03) ಅಡಿಯಲ್ಲಿ ಸ್ಥಾಪಿಸಿದ ವಿಶ್ವವಿದ್ಯಾಲಯ ಅನುದಾನಗಳ ಆಯೋಗ; ಮತ್ತು

(xiii) “ವಿಶ್ವವಿದ್ಯಾಲಯ” ಎಂದರೆ ರಾಜ್ಯ ವಿಧಾನಮಂಡಲದ ಕಾನೂನಿನ ಮೂಲಕ ಸ್ಥಾಪಿಸಿದ ವಿಶ್ವವಿದ್ಯಾಲಯ.

(2) ಈ ಅಧಿನಿಯಮದಲ್ಲಿ ಬಳಿಸಿದ ಆದರೆ ಇಲ್ಲಿ ಮೇಲೆ ಪರಿಭಾಷಿಸದೇ ಇರುವ ಪದಗಳು ಮತ್ತು ಪದಾವಳಿಗಳು ಕರ್ನಾಟಕ ಸಿವಿಲ್ ಸೇವಾ ನಿಯಮಗಳು ಮತ್ತು ಅನ್ವಯವಾಗುವ ನಿವೃತ್ತಿವೇತನ ನಿಯಮಗಳು ಅಥವಾ ಆದೇಶಗಳಲ್ಲಿ ಅವುಗಳಿಗೆ ಅನುಕ್ರಮವಾಗಿ ಹೇಳಲಾದ ಅಂಥ ಅರ್ಥವನ್ನೇ ಹೊಂದಿರತಕ್ಕದ್ದು.

3. ಶಿಕ್ಷಕರ ವೇತನ ಮತ್ತು ಭತ್ಯೆಗಳ ನಿಯಂತ್ರಣ.- (1) ನಿಯಮಿಸಬಹುದಾದ ಅಂಥ ನಿಯಮಗಳಿಗೆ ಒಳಪಟ್ಟು, ಶಿಕ್ಷಕನು ತಾನು ಕ್ರಮಬದ್ಧವಾಗಿ ನೇಮಕವಾದ ಹುದ್ದೆಗೆ ಲಗತ್ತಾದ ವೇತನ ಮತ್ತು ಭತ್ಯೆಗಳನ್ನು ಪಡೆಯಲು ಹಕ್ಕುಳ್ಳವನಾಗಿರತಕ್ಕದ್ದು.

(2) ಶಿಕ್ಷಕರ ವೇತನ ನಿಯಂತ್ರಣವನ್ನು ವಿನಿಯಮಿಸುತ್ತಿರುವ ಸೇವಾನಿಯಮಗಳ ಅಥವಾ ಸಂದರ್ಭಾನುಸಾರವಾಗಿ ಸಕ್ಷಮ ಪ್ರಾಧಿಕಾರದ ಆದೇಶಗಳ ಅನುಸಾರವಾಗಿ ಹಾಗೆ ನಿಯಂತ್ರಿಸತಕ್ಕದ್ದು ಆದರೆ ಭಾರತ ಸರ್ಕಾರ ಅಥವಾ ಭಾರತದ ಸಂಸತ್ತಿನ ಅಧಿನಿಯಮವು ಸ್ಥಾಪಿಸಿದ ಯಾವುದೇ ಇತರ ಕೇಂದ್ರ ಸರ್ಕಾರಿ ಸಂಸ್ಥೆಯು ಹೊರಡಿಸಿದ ವಿನಿಯಮಗಳ ಉಪಬಂಧಗಳ ಅಡಿಯಲ್ಲಿ ನಿಯಂತ್ರಿಸತಕ್ಕದ್ದಲ್ಲ:

ಪರಂತು, ಯಾವೊಬ್ಬ ನಿವೃತ್ತ ಶಿಕ್ಷಕನು, ಕ್ರೋಢೀಕೃತ ವೇತನ ಅಥವಾ ಕರಾರಿನ ಒಪ್ಪಂದ ಇತ್ಯಾದಿಯ ಮೇರೆಗೆ ಮರು ನೇಮಕಾತಿ ಅಥವಾ ನೇಮಕಾತಿಯಾಗಿದ್ದಲ್ಲಿ, ಆತನ ವೇತನ ಮತ್ತು ಭತ್ಯೆಗಳನ್ನು, ರಾಜ್ಯ ಸರ್ಕಾರದ ಅನ್ವಯವಾಗುವ ಸೇವಾ ನಿಯಮಗಳು ಅಥವಾ ಆದೇಶಗಳ ಮತ್ತು ಕರಾರಿನ ನೇಮಕಾತಿಯನ್ನು ನಿಯಂತ್ರಿಸುವ ಸಂಬಂಧಪಟ್ಟ ವಿಶ್ವವಿದ್ಯಾಲಯಗಳು/ ಉನ್ನತ ಶೈಕ್ಷಣಿಕ ಸಂಸ್ಥೆಗಳ ಪರಿನಿಯಮಗಳು ಅಥವಾ ನಿಯಮಗಳ ಉಪಬಂಧಗಳಿಗೆ ಅನುಸಾರವಾಗಿ ಅಥವಾ ರಾಜ್ಯ ಸರ್ಕಾರ ಅಥವಾ ಸಂದರ್ಭಾನುಸಾರವಾಗಿ ಉನ್ನತ ಶೈಕ್ಷಣಿಕ ಸಂಸ್ಥೆಗಳ ಮೂಲಕವಾಗಿಯಾಗಲೀ ಮಾಡಿಕೊಂಡ ಯಾವುದೇ ಒಪ್ಪಂದದ ಅಡಿಯಲ್ಲಿ ನಿರ್ಧರಿಸತಕ್ಕದ್ದು.

4. ಶಿಕ್ಷಕರ ವೇತನ ಮತ್ತು ನಿವೃತ್ತಿ ವೇತನ ಪ್ರಯೋಜನಗಳ ನಿಯಂತ್ರಣ.- (1) ನಿಯಮಿಸಬಹುದಾದ ಅಂಥ ನಿಯಮಗಳಿಗೆ ಒಳಪಟ್ಟು, ಶಿಕ್ಷಕನ ವೇತನ ಮತ್ತು ನಿವೃತ್ತಿ ವೇತನ ಪ್ರಯೋಜನಗಳನ್ನು, ಗರಿಷ್ಠ ಮಿತಿಗೆ ಒಳಪಟ್ಟು,

ಯಾವುದಾದರೂ ಇದ್ದಲ್ಲಿ, ಅವನ್ನು, ಕರ್ನಾಟಕ ನಾಗರಿಕ ಸೇವಾ ನಿಯಮಗಳು ಅಥವಾ ಸಂದರ್ಭಾನುಸಾರವಾಗಿ ಸಕ್ಷಮ ಪ್ರಾಧಿಕಾರವು ಕಾಲಕಾಲಕ್ಕೆ ಹೊರಡಿಸಿದ ಅನ್ವಯವಾಗುವ ನಿವೃತ್ತಿವೇತನ ನಿಯಮಗಳು ಮತ್ತು ಆದೇಶಗಳು, ಯಾವುದಾದರೂ ಇದ್ದಲ್ಲಿ, ಅದರೊಂದಿಗೆ ಓದಿಕೊಂಡಂತೆ ತ್ರಿಗುಣ ಪ್ರಯೋಜನ ಯೋಜನಾ ನಿಯಮಗಳ (Triple benefit scheme rules) ಉಪಬಂಧಗಳ ಅನುಸಾರವಾಗಿ ನಿವೃತ್ತಿಯ ಅಥವಾ ವಯೋನಿವೃತ್ತಿಯ ಅಥವಾ ಸಂದರ್ಭಾನುಸಾರವಾಗಿ ಮರಣದ ದಿನಾಂಕಕ್ಕೆ ನಿಕಟ ಪೂರ್ವದಲ್ಲಿ ಸೆಳೆದ ಕೊನೆಯ ವೇತನದ (Last pay drawn) ಅನುಸಾರವಾಗಿ ನಿರ್ಧರಿಸತಕ್ಕದ್ದು.

(೨) ಸಕ್ಷಮ ಪ್ರಾಧಿಕಾರದ ಆದೇಶಗಳು ಅಥವಾ ನಿಯಮಗಳಲ್ಲಿ ವಿಧಿಸಲಾದ ಷರತ್ತುಗಳಿಗೆ ಒಳಪಟ್ಟು ಪೂರ್ವಾನ್ವಯವಾಗಿ ಪರಿಷ್ಕೃತ ವೇತನ ಶ್ರೇಣಿಗಳ ಪ್ರಯೋಜನವನ್ನು ವಿಸ್ತರಿಸುವ ಸದರಿ ನಿಯಮ ಅಥವಾ ಆದೇಶದ ಮೂಲಕವಾಗಿಯಾಗಲೀ ನಿವೃತ್ತ ಶಿಕ್ಷಕನ ವೇತನವು ಪೂರ್ವಾನ್ವಯವಾಗಿ ಪರಿಷ್ಕರಣೆಯಾದ ಹೊರತು ಒಮ್ಮೆ ನಿರ್ಧರಿತವಾದ ನಿವೃತ್ತಿ ವೇತನ ಮತ್ತು ನಿವೃತ್ತಿ ವೇತನ ಪ್ರಯೋಜನಗಳು ಪರಿಷ್ಕರಣೆಗೆ ಒಳಪಡತಕ್ಕದ್ದಲ್ಲ:

ಪರಂತು, ನಿವೃತ್ತ ಶಿಕ್ಷಕನು, ೫ನೇ ಪ್ರಕರಣದ ಅನುಸಾರವಾಗಿ ನಿವೃತ್ತಿ ವೇತನ ಅಥವಾ ನಿವೃತ್ತಿ ವೇತನ ಪ್ರಯೋಜನಗಳ ಪರಿಷ್ಕರಣೆಯನ್ನು ಪಡೆಯಲು ಹಕ್ಕುಳ್ಳವನಾಗಿರತಕ್ಕದ್ದು.

೫. ಶಿಕ್ಷಕರ ನಿವೃತ್ತಿ ವೇತನ ಪರಿಷ್ಕರಣೆ.- (೧) ಕಾಲಕಾಲಕ್ಕೆ ವೇತನ ಆಯೋಗ ಅಥವಾ ಸಮಿತಿಯ ಶಿಫಾರಸ್ಸಿಗೆ ಅನುಗುಣವಾಗಿ ರಾಜ್ಯ ಸರ್ಕಾರವು ನಿವೃತ್ತಿ ವೇತನವನ್ನು ಪರಿಷ್ಕರಿಸಿದಾಗ ಮತ್ತು ಅದನ್ನು ಉನ್ನತ ಶಿಕ್ಷಣ ಸಂಸ್ಥೆಗಳು ಅಳವಡಿಸಿಕೊಂಡಾಗಲೆಲ್ಲಾ ಶಿಕ್ಷಕನು, ಈಗಾಗಲೇ ಇತ್ಯರ್ಥವಾದ ನಿವೃತ್ತಿ ವೇತನ ಸಂವಾದಿಯಾಗಿ ಪರಿಷ್ಕರಣೆಗೆ ಹಕ್ಕುಳ್ಳವನಾಗಿರತಕ್ಕದ್ದು.

(೨) ವೇತನ ಶ್ರೇಣಿಯ ಪರಿಷ್ಕರಣೆಯ ಮೇರೆಗೆ ೪ನೇ ಪ್ರಕರಣದ (೧)ನೇ ಪ್ರಕರಣದ ಅನ್ವಯ ಇತ್ಯರ್ಥವಾದ ನಿವೃತ್ತಿ ವೇತನವನ್ನು ಪಡೆಯುವ ನಿವೃತ್ತ ಶಿಕ್ಷಕನು, ಪರಿಷ್ಕೃತ ವೇತನ ಶ್ರೇಣಿಗಳ ಅನುಷ್ಠಾನದ ತರುವಾಯ ನಿವೃತ್ತನಾದ ಶಿಕ್ಷಕನಿಗೆ ಮಾತ್ರವೇ ವಿಸ್ತರಿಸಲಾದ ಹೊಸ ಪರಿಷ್ಕೃತ ವೇತನ ಶ್ರೇಣಿಯಲ್ಲಿ, ತಾನು ಸೆಳೆದ ಕೊನೆಯ ವೇತನದ ಪರಿಷ್ಕರಣಕ್ಕೆ ಹಕ್ಕುಳ್ಳವನಾಗತಕ್ಕದ್ದಲ್ಲ.

೬. ವ್ಯವಹರಣೆಗಳ ಸಿಂಧುತ್ವ ಮತ್ತು ಕ್ಲೇಮುಗಳ ರದ್ದತಿ.- ಯಾವುದೇ ನ್ಯಾಯಾಲಯ, ನ್ಯಾಯಾಧಿಕರಣ ಅಥವಾ ಪ್ರಾಧಿಕಾರದ ಯಾವುದೇ ತೀರ್ಪು, ಡಿಕ್ರಿ ಅಥವಾ ಆದೇಶದಲ್ಲಿ ಅಥವಾ ತತ್ಕಾಲದಲ್ಲಿ ಜಾರಿಯಲ್ಲಿರುವ ಯಾವುದೇ ಕಾನೂನಿನಲ್ಲಿ ಏನೇ ಒಳಗೊಂಡಿದ್ದರೂ,-

(ಎ) ಈ ಅಧಿನಿಯಮದ ಪ್ರಾರಂಭಕ್ಕೆ ಮೊದಲು ಯುಜಿಸಿ/ಐಸಿಎಆರ್/ಎಐಸಿಟಿಇ ಅಥವಾ ಮಾರ್ಪಡಿತ ಎಐಸಿಟಿಇ ವೇತನ ಶ್ರೇಣಿಯ ಕುರಿತು ಶಿಕ್ಷಕರಿಗೆ ವೇತನ, ನಿವೃತ್ತಿ ವೇತನ ಅಥವಾ ನಿವೃತ್ತಿ ವೇತನ ಪ್ರಯೋಜನಗಳನ್ನು ನಿಯಂತ್ರಿಸುವ ಸಕ್ಷಮ ಪ್ರಾಧಿಕಾರವು ಮಾಡಿದ ಅಥವಾ ಹೊರಡಿಸಿದ ಯಾವುದೇ ನಿಯಮ, ಆದೇಶ ಅಥವಾ ಅಧಿಸೂಚನೆಯ ಉಪಬಂಧಗಳೊಂದಿಗೆ ಸಕ್ಷಮ ಪ್ರಾಧಿಕಾರವು ಮಾಡಿದ ಅಥವಾ ಕೈಗೊಂಡ ಕ್ರಮವು ಈ ಅಧಿನಿಯಮದ ಉಪಬಂಧಗಳಿಗೆ ವಿರುದ್ಧವಾಗದಿರುವಷ್ಟರ ಮಟ್ಟಿಗೆ ಈ ಅಧಿನಿಯಮದ ಉಪಬಂಧಗಳ ಅಡಿಯಲ್ಲಿ ಸಿಂಧುವಾಗಿ ಮಾಡಲಾಗಿದೆ ಅಥವಾ ಕೈಗೊಳ್ಳಲಾಗಿದೆ ಎಂಬುದಾಗಿ ಭಾವಿಸತಕ್ಕದ್ದು; ಮತ್ತು

(ಬಿ) ಈ ಅಧಿನಿಯಮದ ಉಪಬಂಧಗಳಿಗೆ ವಿರುದ್ಧವಾಗಿ ಯಾವುದೇ ನ್ಯಾಯಾಲಯವು ಯಾವೊಬ್ಬ ವ್ಯಕ್ತಿಗೆ ಮಂಜೂರು ಮಾಡಿದ ನಿವೃತ್ತಿ ವೇತನ ಅಥವಾ ನಿವೃತ್ತಿ ವೇತನ ಪ್ರಯೋಜನಗಳ ಕುರಿತಾದ ಯಾವುದೇ ಪರಿಹಾರವು ರದ್ದುಗೊಳ್ಳತಕ್ಕದ್ದು ಹಾಗೂ ಹೊಸ ಪರಿಷ್ಕೃತ ವೇತನ ಶ್ರೇಣಿಯನ್ನು ವಿಸ್ತರಿಸಲು ವಯೋನಿವೃತ್ತಿ ಅಥವಾ ಮರಣದ

ಸಮಯದಲ್ಲಿ ಚಾಲ್ತಿಯಲ್ಲಿರುವ ವೇತನ ಶ್ರೇಣಿಯಲ್ಲಿ ಕೊನೆಯದಾಗಿ ಸೇಳಿದ ವೇತನವನ್ನು ಪರಿಗಣಿಸಿ ಈಗಾಗಲೇ ಇತ್ಯರ್ಥಗೊಳಿಸಿದ ನಿವೃತ್ತಿ ವೇತನ ಪರಿಷ್ಕರಣೆಗಾಗಿ ಶಿಕ್ಷಕನು ಮಾಡಿದ ಯಾವುದೇ ಕ್ಲೇಮು ರದ್ದುಗೊಳ್ಳತಕ್ಕದ್ದು ಮತ್ತು ಅದಕ್ಕನುಸಾರವಾಗಿ,-

(i) ವೇತನ ಶ್ರೇಣಿಗಳಲ್ಲಿ ಹೊಸ ಪರಿಷ್ಕರಣೆಯ ಆಧಾರದ ಮೇಲೆ ಯಾವುದೇ ಶಿಕ್ಷಕನ ನಿವೃತ್ತಿ ವೇತನ ಪರಿಷ್ಕರಣೆ ಕ್ಲೇಮಿಗೆ ಸರ್ಕಾರದ ವಿರುದ್ಧ ಯಾವುದೇ ನ್ಯಾಯಾಲಯದಲ್ಲಿ ದಾವೆ ಅಥವಾ ಇತರೆ ವ್ಯವಹಾರಗಳನ್ನು ನಿರ್ವಹಿಸತಕ್ಕದ್ದಲ್ಲ ಮತ್ತು ಮುಂದುವರಿಸತಕ್ಕದ್ದಲ್ಲ.

(ii) ವೇತನ ಶ್ರೇಣಿಗಳ ಪರಿಷ್ಕರಣೆಯ ಆಧಾರದ ಮೇಲೆ ಶಿಕ್ಷಕನ ನಿವೃತ್ತಿ ವೇತನವನ್ನು ಪರಿಷ್ಕರಿಸುವಂತೆ ನಿರ್ದೇಶಿಸುವ ಯಾವುದೇ ಡಿಕ್ರಿ ಅಥವಾ ಆದೇಶವನ್ನು ನ್ಯಾಯಾಲಯವು ಜಾರಿಗೊಳಿಸತಕ್ಕದ್ದಲ್ಲ.

7. ಪುನರೀಕ್ಷಣೆ.- ರಾಜ್ಯ ಸರ್ಕಾರವು, ತಾನಾಗಿಯೇ ಆಗಲಿ ಅಥವಾ ಅರ್ಜಿಯ ಮೂಲಕವಾಗಿಯಾಗಲಿ, ವಾಸ್ತವಾಂಶದ ಅಥವಾ ಕಾನೂನಿನ ತಪ್ಪು ಅಥವಾ ಕಾನೂನಿನ ಅಜ್ಞಾನದ ಪ್ರಕರಣಗಳು ಸೇರಿದಂತೆ ಶಿಕ್ಷಕರಿಗೆ ಅನ್ವಯವಾಗುವ ಸೇವಾ ನಿಯಮಗಳ ಉಪಬಂಧಗಳಿಗೆ ವಿರುದ್ಧವಾಗಿ ವೇತನ ಮತ್ತು ನಿವೃತ್ತಿ ವೇತನ ನಿಗದಿ ಪಡಿಸುವುದನ್ನು ರಾಜ್ಯ ಸರ್ಕಾರವು ಪುನರೀಕ್ಷಿಸಿ ಕಾನೂನಿಗನುಸಾರವಾಗಿ ವೇತನ ಅಥವಾ ನಿವೃತ್ತಿ ವೇತನ ಅಥವಾ ಎರಡನ್ನೂ ಮರು ನಿಗದಿಪಡಿಸುವಂತೆ ಸಕ್ಷಮ ಪ್ರಾಧಿಕಾರಕ್ಕೆ ನಿರ್ದೇಶನ ನೀಡಬಹುದು. ಆದಾಗ್ಯೂ ನಿವೃತ್ತಿ ವೇತನದ ನಿಗದಿ ಪಡಿಸುವಿಕೆಯು ಐದು ವರ್ಷಗಳು ಅಥವಾ ಹೆಚ್ಚಿನ ಸಮಯದ ಹಿಂದಕ್ಕೆ ಸಂಬಂಧಿಸಿದ್ದಾದಲ್ಲಿ, ಅಥವಾ ಮರುವಸೂಲಾತಿಯು ನಿವೃತ್ತಿದಾರರಿಗೆ ಅನುಚಿತ ತೊಂದರೆಯನ್ನು ಉಂಟುಮಾಡುತ್ತದೆ ಎಂದು ರಾಜ್ಯ ಸರ್ಕಾರವು ಮನಗಂಡಲ್ಲಿ ಯಾವುದೇ ಹಿಂಬಾಕಿಗಳನ್ನು ವಸೂಲು ಮಾಡತಕ್ಕದ್ದಲ್ಲ.

8. ಅಧಿಕಾರಗಳ ಪ್ರತ್ಯಾಯೋಜನೆ.- 13ನೇ ಪ್ರಕರಣದ ಅಡಿಯಲ್ಲಿ ನಿಯಮಗಳನ್ನು ರಚಿಸುವ ಅಧಿಕಾರವನ್ನು ಹೊರತುಪಡಿಸಿ, ರಾಜ್ಯ ಸರ್ಕಾರವು, ಈ ಅಧ್ಯಾದೇಶದ ಮೂಲಕ ಅಥವಾ ಅದರ ಅಡಿಯಲ್ಲಿ ತನಗೆ ಪ್ರದತ್ತವಾದ ಎಲ್ಲಾ ಅಥವಾ ಯಾವುದೇ ಅಧಿಕಾರಗಳನ್ನು ಅಧಿಸೂಚನೆಯ ಮೂಲಕ ಅಂಥ ಅಧಿಕಾರಿ ಅಥವಾ ಅದರ ಅಧೀನದಲ್ಲಿನ ಪ್ರಾಧಿಕಾರಕ್ಕೆ ಪ್ರತ್ಯಾಯೋಜಿಸಬಹುದು.

9. ನಿರ್ದೇಶನಗಳನ್ನು ನೀಡಲು ಸರ್ಕಾರದ ಅಧಿಕಾರಗಳು.- ಸರ್ಕಾರವು, ವೇತನ ಮತ್ತು ನಿವೃತ್ತಿ ವೇತನದ ನಿಯಂತ್ರಣವನ್ನು ನಿರ್ವಹಿಸುವ ಸೇವಾ ನಿಯಮಗಳ ಅನ್ವಯಿಕ ಉಪಬಂಧಗಳೊಂದಿಗೆ ಓದಲಾದಂತೆ ಈ ಅಧಿನಿಯಮದ ಉಪಬಂಧಗಳಿಗೆ ಒಳಪಟ್ಟು ಅದು ಅಗತ್ಯವೆಂದು ಭಾವಿಸುವ ವೇತನ ಮತ್ತು ನಿವೃತ್ತಿ ವೇತನ ನಿಗದಿಯ ಕಾನೂನು ಸಮ್ಮತತೆಯನ್ನು ಖಚಿತಪಡಿಸಿಕೊಂಡ ತರುವಾಯ ಕಾಲಕಾಲಕ್ಕೆ ನಿರ್ದೇಶನಗಳನ್ನು ಹೊರಡಿಸಬಹುದು.

10. ಸದ್ಭಾವನೆಯಿಂದ ಕೈಗೊಂಡ ಕ್ರಮಕ್ಕೆ ರಕ್ಷಣೆ.- ಈ ಅಧಿನಿಯಮದ ಅಡಿಯಲ್ಲಿ ಸದ್ಭಾವನೆಯಿಂದ ಕೈಗೊಂಡ ಅಥವಾ ಕೈಗೊಳ್ಳಲು ಉದ್ದೇಶಿಸಿದ ಯಾವುದೇ ಕೃತ್ಯಕ್ಕಾಗಿ, ಯಾವೊಬ್ಬ ಸರ್ಕಾರದ ಅಧಿಕಾರಿಯ ವಿರುದ್ಧ ಯಾವುದೇ ದಾವೆ, ಅಧಿವಿಚಾರಣೆ ಅಥವಾ ಇತರೆ ಕಾನೂನು ವ್ಯವಹಾರಗಳನ್ನು ಹೂಡತಕ್ಕದ್ದಲ್ಲ.

11. ತೊಂದರೆಗಳ ನಿವಾರಣೆ.- (1) ಈ ಅಧಿನಿಯಮದ ಉಪಬಂಧಗಳನ್ನು ಜಾರಿಗೆ ತರುವಲ್ಲಿ, ಯಾವುದೇ ತೊಂದರೆ ಉದ್ಭವಿಸಿದರೆ, ರಾಜ್ಯ ಸರ್ಕಾರವು ಸರ್ಕಾರಿ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಪ್ರಕಟಿಸಿದ ಆದೇಶದ ಮೂಲಕ ಆ ತೊಂದರೆಯ ನಿವಾರಣೆಗಾಗಿ, ತಾನು ಅವಶ್ಯಕ ಮತ್ತು ಸಮಯೋಚಿತವೆಂದು ಕಂಡುಬರುವಂತೆ, ಈ ಅಧಿನಿಯಮದ ಉಪಬಂಧಗಳಿಗೆ ಅಸಂಗತವಾಗದಂಥ ಉಪಬಂಧಗಳನ್ನು ರಚಿಸಬಹುದು:

ಪರಂತು, ಈ ಅಧಿನಿಯಮವು ಪ್ರಾರಂಭವಾದ ದಿನಾಂಕದಿಂದ ಎರಡು ವರ್ಷಗಳು ಮುಕ್ತಾಯವಾದ ಮೇಲೆ ಅಂಥ ಯಾವುದೇ ಆದೇಶವನ್ನು ಹೊರಡಿಸತಕ್ಕದ್ದಲ್ಲ.

(2) ಈ ಪ್ರಕರಣದ ಅಡಿಯಲ್ಲಿ ಮಾಡಿದ ಪ್ರತಿಯೊಂದು ಆದೇಶವನ್ನು, ಅದನ್ನು ಮಾಡಿದ ತರುವಾಯ ಆದಷ್ಟು ಬೇಗನೆ ರಾಜ್ಯ ವಿಧಾನ ಮಂಡಲದ ಉಭಯ ಸದನಗಳ ಮುಂದೆ ಮಂಡಿಸತಕ್ಕದ್ದು.

12. ಅಧ್ಯಾರೋಹಿ ಪರಿಣಾಮ.- ತತ್ಕಾಲದಲ್ಲಿ ಜಾರಿಯಲ್ಲಿರುವ ಯಾವುದೇ ಇತರ ಕಾನೂನು ಅಥವಾ ಡಿಕ್ರಿ ಅಥವಾ ನ್ಯಾಯಾಲಯ ಅಥವಾ ಇತರ ಪ್ರಾಧಿಕಾರದ ಆದೇಶಗಳಲ್ಲಿ ಅಸಂಗತವಾದುದು ಏನೇ ಒಳಗೊಂಡಿದ್ದರೂ ಈ ಅಧಿನಿಯಮದ ಉಪಬಂಧಗಳು ಪರಿಣಾಮವನ್ನು ಹೊಂದಿರತಕ್ಕದ್ದು.

13. ನಿಯಮಗಳ ರಚನಾಧಿಕಾರ.- (1) ಈ ಅಧಿನಿಯಮದ ಉದ್ದೇಶಗಳನ್ನು ಕಾರ್ಯಗತಗೊಳಿಸುವುದಕ್ಕಾಗಿ ಸರ್ಕಾರವು ಪೂರ್ವ ಪ್ರಕಟಣೆಯ ತರುವಾಯ ಅಧಿಸೂಚನೆಯ ಮೂಲಕ ನಿಯಮಗಳನ್ನು ರಚಿಸಬಹುದು.

(2) ಈ ಅಧಿನಿಯಮದ ಅಡಿಯಲ್ಲಿ ರಚಿಸಲಾದ ಪ್ರತಿಯೊಂದು ನಿಯಮವನ್ನು, ಅದನ್ನು ರಚಿಸಿದ ಅಥವಾ ಹೊರಡಿಸಿದ ತರುವಾಯ, ಆದಷ್ಟು ಬೇಗನೆ, ರಾಜ್ಯ ವಿಧಾನಮಂಡಲದ ಪ್ರತಿಯೊಂದು ಸದನದ ಮುಂದೆ, ಅದು ಅಧಿವೇಶನದಲ್ಲಿರುವಾಗ, ಒಂದು ಅಧಿವೇಶನದಲ್ಲಿ ಅಥವಾ ಎರಡು ಅಥವಾ ಹೆಚ್ಚಿನ ನಿರಂತರ ಅಧಿವೇಶನಗಳಲ್ಲಿ ಅಡಕವಾಗಬಹುದಾದ ಒಟ್ಟು ಮೂವತ್ತು ದಿನಗಳ ಅವಧಿಯವರೆಗೆ ಮಂಡಿಸತಕ್ಕದ್ದು ಮತ್ತು ಮೇಲೆ ಹೇಳಿದ ಅಧಿವೇಶನಗಳ ಅಥವಾ ನಿರಂತರ ಅಧಿವೇಶನಗಳ ನಿಕಟ ತರುವಾಯದ ಅಧಿವೇಶನದ ಮುಕ್ತಾಯಕ್ಕೆ ಮುಂಚೆ, ಆ ನಿಯಮಕ್ಕೆ ಯಾವುದೇ ಮಾರ್ಪಾಟನ್ನು ಮಾಡಬೇಕೆಂದು ಎರಡೂ ಸದನಗಳೂ ಒಪ್ಪಿದರೆ ಅಥವಾ ಆ ನಿಯಮವನ್ನು ಮಾಡಕೂಡದೆಂದು ಎರಡೂ ಸದನಗಳೂ ಒಪ್ಪಿದರೆ ಆ ನಿಯಮದ ಆ ಮಾರ್ಪಾಟು ಅಥವಾ ರದ್ದತಿಯು ಅಧಿಸೂಚಿಸಿದ ದಿನಾಂಕದಿಂದ ಸಂದರ್ಭಾನುಸಾರ ಅಂಥ ಮಾರ್ಪಾಟು ರೂಪದಲ್ಲಿ ಮಾತ್ರ ಪರಿಣಾಮಕಾರಿಯಾಗಿರತಕ್ಕದ್ದು ಅಥವಾ ಯಾವುದೇ ಪರಿಣಾಮವನ್ನು ಹೊಂದಿರತಕ್ಕದ್ದಲ್ಲ; ಆದಾಗ್ಯೂ ಅಂಥ ಯಾವುದೇ ಮಾರ್ಪಾಟು ಅಥವಾ ರದ್ದತಿಯು, ಆ ನಿಯಮದ ಮೇರೆಗೆ ಹಿಂದೆ ಮಾಡಿದ ಯಾವುದೇ ಕೃತ್ಯದ ಮಾನ್ಯತೆಗೆ ಬಾಧಕವಾಗತಕ್ಕದ್ದಲ್ಲ.

14. ತಾತ್ಕಾಲಿಕ ಉಪಬಂಧಗಳು.- ಈ ಅಧಿನಿಯಮದ ಪ್ರಾರಂಭಕ್ಕೆ ಮೊದಲು ಶಿಕ್ಷಕನ ವೇತನ, ಭತ್ಯೆಗಳು ಮತ್ತು ನಿವೃತ್ತಿ ವೇತನವನ್ನು ನಿಯಂತ್ರಿಸುತ್ತಿರುವ ಸಕ್ಷಮ ಪ್ರಾಧಿಕಾರವು ಹೊರಡಿಸಿದ ಯಾವುದೇ ನಿಯಮ, ಆದೇಶ ಅಥವಾ ಅಧಿಸೂಚನೆಯನ್ನು ಈ ಅಧಿನಿಯಮದ ಉಪಬಂಧಗಳಿಗೆ ವಿರುದ್ಧವಾಗಿರದಷ್ಟರಮಟ್ಟಿಗೆ ಈ ಅಧಿನಿಯಮದ ಅಡಿಯಲ್ಲಿ ಹೊರಡಿಸಲಾಗಿದೆ ಎಂದು ಭಾವಿಸತಕ್ಕದ್ದು ಮತ್ತು ಈ ಅಧಿನಿಯಮದ ಉಪಬಂಧಗಳ ಅಡಿಯಲ್ಲಿ ಮಾಡಲಾದ ನಿಯಮಗಳ ಮೂಲಕ ಅವುಗಳನ್ನು ಮಾರ್ಪಡಿಸುವವರೆಗೆ ಅಥವಾ ರದ್ದುಪಡಿಸುವವರೆಗೆ ಅವುಗಳು ಮುಂದುವರಿಯತಕ್ಕದ್ದು.

15. ನಿರಸನ ಮತ್ತು ಉಳಿಸುವಿಕೆಗಳು.- (1) ಕರ್ನಾಟಕ ಉನ್ನತ ಶೈಕ್ಷಣಿಕ ಸಂಸ್ಥೆಗಳಲ್ಲಿ ಶಿಕ್ಷಕರ ವೇತನ ಮತ್ತು ನಿವೃತ್ತಿ ವೇತನದ ನಿಯಂತ್ರಣ ಅಧ್ಯಾದೇಶ, 2020ನ್ನು (2020ರ ಕರ್ನಾಟಕ ಅಧ್ಯಾದೇಶ ಸಂಖ್ಯೆ 1) ಈ ಮೂಲಕ ನಿರಸನಗೊಳಿಸಿದೆ.

(2) ಹಾಗೆ ನಿರಸನಗೊಳಿಸಿದ್ದಾಗ್ಯೂ, ಸದರಿ ಅಧ್ಯಾದೇಶದ ಮೂಲಕ ಮಾಡಲಾದ ಯಾವುದೇ ಕಾರ್ಯ ಅಥವಾ ಕೈಗೊಳ್ಳಲಾದ ಯಾವುದೇ ಕ್ರಮವನ್ನು ಈ ಅಧಿನಿಯಮದ ಅಡಿಯಲ್ಲಿ ಮಾಡಲಾಗಿದೆ ಅಥವಾ ಕೈಗೊಳ್ಳಲಾಗಿದೆ ಎಂದು ಭಾವಿಸತಕ್ಕದ್ದು.

ಉದ್ದೇಶಗಳು ಮತ್ತು ಕಾರಣಗಳ ಹೇಳಿಕೆ

ಸರ್ಕಾರಿ ಕಾಲೇಜುಗಳಲ್ಲಿ, ಕಾನೂನಿನ ಮೂಲಕ ಸ್ಥಾಪನೆಯಾದ ವಿಶ್ವವಿದ್ಯಾಲಯಗಳಲ್ಲಿ ಹಾಗೂ ರಾಜ್ಯ ಸರ್ಕಾರದ ನಿಯಂತ್ರಣದಡಿಯಲ್ಲಿರುವ ಸರ್ಕಾರಿ ಅನುದಾನಿತ ಉನ್ನತ ಶೈಕ್ಷಣಿಕ ಸಂಸ್ಥೆಗಳಲ್ಲಿ ಕಾರ್ಯನಿರ್ವಹಿಸುತ್ತಿರುವ ಶಿಕ್ಷಕರಿಗೆ ಅನ್ವಯವಾಗುವ ವೇತನ, ನಿವೃತ್ತಿ ವೇತನ ಮತ್ತು ನಿವೃತ್ತಿ ವೇತನ ಪ್ರಯೋಜನಗಳನ್ನು ನಿಯಂತ್ರಿಸಲು ಒಂದು ವಿಧೇಯಕ.

ಭಾರತ ಸಂವಿಧಾನದ 309ನೇ ಅನುಚ್ಛೇದದ ಉಪಬಂಧಗಳ ಅಡಿಯಲ್ಲಿ ಮತ್ತು ಭಾರತ ಸಂವಿಧಾನದ ೬೪ನೇ ಅನುಸೂಚಿಯ IIನೇ ಪಟ್ಟಿಯ 14, 32 ಮತ್ತು 41ನೇ ನಮೂದುಗಳ ಅಡಿಯಲ್ಲಿ ಹಾಗೂ IIIನೇ ಪಟ್ಟಿಯ 25ನೇ ನಮೂದಿನ ಅಡಿಯಲ್ಲಿ, ರಾಜ್ಯ ವಿಧಾನಮಂಡಲವು ಸಾರ್ವಜನಿಕ ಸೇವೆಗಳಿಗೆ ಹಾಗೂ ಕರ್ನಾಟಕ ಸರ್ಕಾರದ ಮಾಧ್ಯಮಗಳೊಂದಿಗೆ ಸಂಬಂಧಿಸಿದ ಹುದ್ದೆಗಳಿಗೆ ನೇಮಕವಾದ ವ್ಯಕ್ತಿಗಳ ಸೇವಾಷರತ್ತುಗಳನ್ನು ಕಾನೂನಿನ ಮೂಲಕ ನಿಯಂತ್ರಿಸಬಹುದಾಗಿರುವುದರಿಂದ;

ರಾಜ್ಯ ಸರ್ಕಾರ ಅಥವಾ ಅನುದಾನಿತ ಕಾಲೇಜುಗಳು ಅಥವಾ ಸಂಸ್ಥೆಗಳ ಮೂಲಕ ನಿಯೋಜಿತರಾದ ಯುಜಿಸಿ/ಎಐಸಿಟಿಇ/ಐಸಿಎಆರ್ ಅಥವಾ ಮಾರ್ಪಡಿತ ಎಐಸಿಟಿಇ ವೇತನ ಶ್ರೇಣಿಗಳನ್ನು ಪಡೆಯುತ್ತಿರುವ ಉನ್ನತ ಶಿಕ್ಷಣ ಸಂಸ್ಥೆಗಳ ಹುದ್ದೆಯೊಂದರಲ್ಲಿ ಕಾರ್ಯನಿರ್ವಹಿಸಲು ನೇಮಕವಾದ ಶಿಕ್ಷಕರೊಬ್ಬರು ಆ ಹುದ್ದೆಯ ಪೂರ್ವಭಾವ್ಯ ವೇತನವನ್ನು ಪಡೆಯಲು ಹಕ್ಕುಳ್ಳವರಾಗಿರುತ್ತಾರೆ ಮತ್ತು ಅಂಥ ಶಿಕ್ಷಕನ ವೇತನ ಮತ್ತು ನಿವೃತ್ತಿ ವೇತನ ಪ್ರಯೋಜನಗಳು, ನಿವೃತ್ತಿಯ ಅಥವಾ ವಯೋನಿವೃತ್ತಿಯ ಅಥವಾ ಸಂದರ್ಭಾನುಸಾರವಾಗಿ ಮರಣದ ಸಮಯದಲ್ಲಿ ನಿವೃತ್ತಿವೇತನದ ಮಂಜೂರಾತಿಯನ್ನು ನಿಯಂತ್ರಿಸುವ ಅನ್ವಯವಾಗುವ ನಿಯಮಗಳು/ ಆದೇಶಗಳಿಗನುಸಾರವಾಗಿ ನಿರ್ಧರಿಸಲಾಗುವುದರಿಂದ;

ಯುಜಿಸಿ/ಐಸಿಎಆರ್/ಎಐಸಿಟಿಇ ಅಥವಾ ಮಾರ್ಪಡಿತ ಎಐಸಿಟಿಇ ವೇತನ ಶ್ರೇಣಿಗಳ ನಿವೃತ್ತ ಶಿಕ್ಷಕರು ನಿವೃತ್ತಿ ವೇತನ ಮತ್ತು ನಿವೃತ್ತಿ ವೇತನ ಪ್ರಯೋಜನಗಳ ಉದ್ದೇಶಕ್ಕಾಗಿ ರಾಜ್ಯ ಸರ್ಕಾರದ ಉಳಿದ ಸರ್ಕಾರಿ ನಿವೃತ್ತಿದಾರರಿಗೆ ತತ್ಸಮಾನರಾಗಿರುತ್ತಾರೆ. ಮುಂದುವರೆದು, ರಾಜ್ಯ ಸರ್ಕಾರವು ನಿರ್ವಹಿಸಿ ಅನುದಾನ ನೀಡುತ್ತಿರುವ ಸಂಸ್ಥೆಗಳಲ್ಲಿ ಕಾರ್ಯನಿರ್ವಹಿಸುತ್ತಿರುವ ಯುಜಿಸಿ/ಐಸಿಎಆರ್/ಎಐಸಿಟಿಇ ಅಥವಾ ಮಾರ್ಪಡಿತ ಎಐಸಿಟಿಇ ವೇತನ ಶ್ರೇಣಿಗಳಲ್ಲಿನ ಶಿಕ್ಷಕರು ಮತ್ತು ತತ್ಸಮಾನ ವೃಂದದ ಸಿಬ್ಬಂದಿಯ ನಿವೃತ್ತಿ ವೇತನ ಮತ್ತು ನಿವೃತ್ತಿ ವೇತನ ಪ್ರಯೋಜನಗಳನ್ನು ರಾಜ್ಯ ಸರ್ಕಾರದ ನಿಯಮಗಳ ಅನುಸಾರವಾಗಿ ನಿರ್ಧರಿಸತಕ್ಕದ್ದು ಎನ್ನುವುದು ಕೂಡಾ ರಾಜ್ಯ ಸರ್ಕಾರದ ಸ್ಥಾಪಿತ ನೀತಿಯಾಗಿರುತ್ತದೆ. ನಿವೃತ್ತಿ ವೇತನದ ಸಂಬಂಧದಲ್ಲಿ cut-off ದಿನಾಂಕವನ್ನು ವೇತನ ಪರಿಷ್ಕರಣೆಯ ಬಹುದೊಡ್ಡ ಹಣಕಾಸಿನ ತೊಡಕುಗಳು ಮತ್ತು ಕೇಂದ್ರ ಸರ್ಕಾರದ ಹಣಕಾಸಿನ ನೆರವು, ಮುಂತಾದವುಗಳು ಯಾವುದಾದರೂ ಇದ್ದಲ್ಲಿ ಅಂಥ ಇತರ ಸಂಬಂಧಪಟ್ಟ ಅಂಶಗಳನ್ನು ಪರಿಗಣನೆಗೆ ತೆಗೆದುಕೊಂಡು ನಿರ್ಧರಿಸಲಾಗುವುದರಿಂದ;

ಪೂರ್ವಭಾವಿ ನೀತಿಯ ವಿಷಯದಂತೆ, ತರುವಾಯದ ವೇತನ ಪರಿಷ್ಕರಣೆಯ cut-off ದಿನಾಂಕಕ್ಕೆ ಮೊದಲು ನಿವೃತ್ತರಾದ ನಿವೃತ್ತ ಶಿಕ್ಷಕರ ನಿವೃತ್ತಿ ವೇತನವು, ರಾಜ್ಯ ಸರ್ಕಾರದ ನಿರ್ಧಾರದ ಅನುಸಾರವಾಗಿ ಸಂವಾದಿ ವೇತನ ಶ್ರೇಣಿಗಳ ಪರಿಷ್ಕರಣೆಯು ಜಾರಿಯಾದಾಗಲೆಲ್ಲಾ, ಮತ್ತಷ್ಟು ಪರಿಷ್ಕರಣೆಗೆ ಒಳಪಡಬೇಕಾಗಿರುವುದರಿಂದ;

ಉನ್ನತ ಶಿಕ್ಷಣದ ಸಂಬಂಧದಲ್ಲಿ ಶೈಕ್ಷಣಿಕ ವಿಷಯಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಉನ್ನತ ಶಿಕ್ಷಣ ಪರಿಷತ್ತು ರಾಜ್ಯ ಸರ್ಕಾರಕ್ಕೆ ಸಲಹಾ ಸಮಿತಿಯಾಗಿರುವುದು ಮತ್ತು ಉನ್ನತ ಶೈಕ್ಷಣಿಕ ಸಂಸ್ಥೆಗಳ ಶಿಕ್ಷಕರ ವೇತನ ಅಥವಾ ನಿವೃತ್ತಿ ವೇತನದ ಪರಿಷ್ಕರಣೆಯ ಕುರಿತು ಶಿಫಾರಸ್ಸು ಮಾಡಲು ಅಥವಾ ಸಲಹೆ ನೀಡಲು ಕರ್ನಾಟಕ ರಾಜ್ಯ ಉನ್ನತ ಶಿಕ್ಷಣ ಪರಿಷತ್ತು ಅಧಿನಿಯಮ, 2010ರ (2010ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 26) ಅಡಿಯಲ್ಲಿ ಸದರಿ ಪರಿಷತ್ತಿಗೆ ಯಾವುದೇ ಅಧಿಕಾರವನ್ನು ನೀಡಲಾಗಿರುವುದಿಲ್ಲ. ಪರಿಷತ್ತಿನ ಯಾವುದೇ ಸೂಚನೆ ಅಥವಾ ಸಲಹೆಯು ರಾಜ್ಯ ಸರ್ಕಾರದ ಮೇಲೆ ಬದ್ಧಕಾರಿಯಾಗಿರುವುದಿಲ್ಲವಾದ್ದರಿಂದ;

ಸರ್ಕಾರವು ದಿನಾಂಕ:24.07.2015ರ ಸರ್ಕಾರಿ ಆದೇಶದಲ್ಲಿ, 01-01-2006ಕ್ಕೂ ಮೊದಲಿನ ನಿವೃತ್ತಿದಾರರಿಗೆ 2006ರ ಯುಜಿಸಿ ವೇತನ ಶ್ರೇಣಿಯನ್ನು ವಿಸ್ತರಿಸುವ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಉನ್ನತ ಶಿಕ್ಷಣ ಪರಿಷತ್ತಿನ ಶಿಫಾರಸ್ಸನ್ನು

ತಿರಸ್ಕರಿಸಿದೆ. ರಿಟ್ ಪಿಟಿಷನ್ ಸಂಖ್ಯೆ:775-787/2015 (ಎಸ್-ಆರ್) ಮೂಲಕ ಕರ್ನಾಟಕದ ಮಾನ್ಯ ಉಚ್ಚ ನ್ಯಾಯಾಲಯದಲ್ಲಿ ಪ್ರಶ್ನಿಸಲಾಗಿದ್ದು ಸದರಿ ರಿಟ್ ಪಿಟಿಷನ್ ಅನ್ನು ಪುರಸ್ಕರಿಸಿ, ಕರ್ನಾಟಕದ ಮಾನ್ಯ ಉಚ್ಚ ನ್ಯಾಯಾಲಯವು ಈ ರೀತಿ ಅಭಿಪ್ರಾಯ ಪಟ್ಟಿರುವುದರಿಂದ, ಎಂದರೆ:-

“The State is required to demonstrate that the case of the petitioners falls under Category II as enunciated by their Lordships in V.Kasturi (supra). The meaning of the words “permissible in law” in this context means the inherently differentiable separate classification in law, projected as Category II in V. Kasturi (supra). The State has failed to point out that the fixing of cut-off date was inherently permissible under a specific provision of Law. No justifiable reason or rationale in fixing the cut-off date is provided by the State, except pointing out to the effective date fixed in the Government Order dated: 24.12.2009 of Government of India and communicated dated: 11.03.2010, issued by the Ministry of Human Resources Development. The artificial classification by fixing a cut-off date is nothing but creating a class with a class, which is not permissible. The law laid down in Nakara (supra) that the object sought to be achieved was not to create a class within a class, but to ensure that the benefits of pension were made available to all persons of the same class, continues to hold the field even to this date. The artificial classification sought to be made by the State does not satisfy the test of Article 14.”

ಬಿ.ಜೆ.ಅಕ್ಕರ ಮತ್ತು ಇತರರು ವಿರುದ್ಧ ಭಾರತ ಸರ್ಕಾರ ಮತ್ತು ಇತರರು [(2006) 11 ಎಸ್‌ಸಿಸಿ 709] ಈ ವಿಷಯದಲ್ಲಿ ಭಾರತದ ಮಾನ್ಯ ಸರ್ವೋಚ್ಚ ನ್ಯಾಯಾಲಯವು ನಿವೃತ್ತಿ ವೇತನ ನಿಗದಿ ಮತ್ತು ನಿವೃತ್ತಿ ವೇತನ ಮಂಜೂರಾತಿಯ ಕೆಲವು ಸುನಿಶ್ಚಿತವಾದ ತತ್ವಗಳನ್ನು ವಿವರಿಸಿದ್ದು, ಅದಕ್ಕನುಸಾರವಾಗಿ, ನಿರ್ದಿಷ್ಟ ದರ್ಜೆಯಲ್ಲಿ ನಿವೃತ್ತರಾಗುವ ಎಲ್ಲಾ ನಿವೃತ್ತಿದಾರರು ಎಲ್ಲಾ ಉದ್ದೇಶಗಳಿಗಾಗಿ ಏಕ ವರ್ಗವಾಗಿ ರೂಪುಗೊಳ್ಳುವುದಿಲ್ಲ. ವೇತನದ ವ್ಯತ್ಯಾಸದ ಹಿನ್ನೆಲೆಯಲ್ಲಿ ಅಥವಾ ಜಾರಿಯಲ್ಲಿರುವ ವಿವಿಧ ವೇತನ ಶ್ರೇಣಿಗಳ ಹಿನ್ನೆಲೆಯಲ್ಲಿ ನಿವೃತ್ತಿಯ ಸಮಯದಲ್ಲಿ ಸರಾಸರಿ ಲೆಕ್ಕಹಾಕಬಹುದಾದ ಉಪದಾನಗಳು ಇದ್ದಲ್ಲಿ ಒಂದೇ ದರ್ಜೆಯಲ್ಲಿ ನಿವೃತ್ತರಾದ ನಿವೃತ್ತಿದಾರರಿಗೆ ಒಂದೇ ತೆರನಾದ ನಿವೃತ್ತಿ ವೇತನವನ್ನು ನೀಡಬೇಕಾಗಿಲ್ಲ. ಮೇಲಿನ ಪ್ರಕರಣದಲ್ಲಿ ಮಾನ್ಯ ಅಪೆಲ್ಸ್ ನ್ಯಾಯಾಲಯವು ವಿವರಿಸಿದ ತತ್ವಗಳೂ ಕೂಡಾ ರಾಜ್ಯ ನೀತಿಯ ಅನುಸಾರವಾಗಿರುವುದರಿಂದ;

ಜಗದೀಶ್ ಪ್ರಸಾದ್ ಶರ್ಮಾ ಮತ್ತು ಇತರರು ವಿರುದ್ಧ ಬಿಹಾರ ರಾಜ್ಯ ಮತ್ತು ಇತರರು ಇದರಲ್ಲಿ (2013) 8ಎಸ್‌ಸಿಸಿ 633ರಲ್ಲಿ ವರದಿಯಾದಂತೆ, ಅಪೆಲ್ಸ್ ನ್ಯಾಯಾಲಯವು ಯುಜಿಸಿ ವಿನಿಯಮಗಳು ರಾಜ್ಯದ ಮೇಲೆ ಸ್ವಯಂಚಾಲಿತವಾಗಿ ಬದ್ಧಕಾರಿಯಾಗಿರುವುದಿಲ್ಲ. ಯುಜಿಸಿ ವಿನಿಯಮಗಳು ಶಾಸನಬದ್ಧ ಬಲವಿದ್ದಾಗ್ಯೂ ಅಂಥ ನಿಯಮಗಳು ರಾಜ್ಯದ ಸಮಗ್ರ ಅಧಿಕಾರವನ್ನು ಮೊಟಕುಗೊಳಿಸಲು ಸಾಧ್ಯವಿಲ್ಲವಾದ್ದರಿಂದ ಪ್ರಸ್ತುತ ವಾಸ್ತವತೆಯಲ್ಲಿ ಸನ್ನಿವೇಶವು ರಾಜ್ಯ ನೀತಿಯ ವ್ಯಾಪ್ತಿಯೊಳಗೆ ಬರುವುದರಿಂದ ಮತ್ತು ಜಗದೀಶ್ ಪ್ರಸಾದ್ ಶರ್ಮಾ ಪ್ರಕರಣದಲ್ಲಿ ಉಲ್ಲೇಖಿಸಿದಂತೆ ಅನುಸರಿಸುವಲ್ಲಿ 01.01.2006ಕ್ಕೂ ಮೊದಲು ನಿವೃತ್ತರಾಗಿರುವ ಶಿಕ್ಷಕರಿಗೆ ಪರಿಷ್ಕೃತ ನಿವೃತ್ತಿ ವೇತನ ಪ್ರಯೋಜನಗಳನ್ನು ವಿಸ್ತರಿಸಲಾಗುವುದಿಲ್ಲ ಎಂಬುದು ರಾಜ್ಯದ ನೀತಿ ನಿರ್ಣಯವಾಗಿರುವುದರಿಂದ;

ಕೇಂದ್ರ ಸರ್ಕಾರವು ದಿನಾಂಕ: 11.03.2010ರ ಪತ್ರದಲ್ಲಿ 01.01.2006ಕ್ಕೂ ಮೊದಲು ನಿವೃತ್ತರಾದ ರಾಜ್ಯ ವಿಶ್ವವಿದ್ಯಾಲಯಗಳು ಮತ್ತು ಕಾಲೇಜುಗಳ ಯುಜಿಸಿ ವೇತನ ಶ್ರೇಣಿಯಲ್ಲಿರುವ ಶಿಕ್ಷಕರಿಗೆ ದಿನಾಂಕ: 11.03.2010ರ ಪತ್ರದಲ್ಲಿ ಉದ್ದೇಶಿಸಿರುವಂತೆ ನಿವೃತ್ತಿ ವೇತನ ಸ್ವರೂಪದ ಪರಿಷ್ಕರಣೆಯ ಪ್ರಯೋಜನವನ್ನು ನೀಡುವುದು ರಾಜ್ಯ ಸರ್ಕಾರಕ್ಕೆ ಕಡ್ಡಾಯವಾಗಿರುವುದಿಲ್ಲ ಎಂಬುದಾಗಿ ಸೂಚಿಸಿರುತ್ತದೆ ಹಾಗೂ ಅಂತೆಯೇ ರಾಜ್ಯ ಸರ್ಕಾರಕ್ಕೆ ನಿಹಿತವಾಗಿರುವ ವಿವೇಚನಾ ಅಧಿಕಾರಗಳ ಅನುಸಾರವಾಗಿ ಭಾರತ ಸರ್ಕಾರದ ದಿನಾಂಕ: 11.03.2010ರ ಪತ್ರದಂತೆ ಪ್ರಯೋಜನಗಳನ್ನು ನೀಡಲಾಗುವುದಿಲ್ಲವೆಂದು ತೀರ್ಮಾನಿಸಲಾಗಿರುವುದರಿಂದ;

ಭಾರತ ಒಕ್ಕೂಟ ವಿರುದ್ಧ ಎಸ್.ರಾಕೂರ್ [(2009)(1) ಎನ್‌ಸಿಸಿ (ಎಲ್ & ಎಸ್) 329] ಪ್ರಕರಣದಲ್ಲಿ ಮಾನ್ಯ ಭಾರತ ಸರ್ವೋಚ್ಚ ನ್ಯಾಯಾಲಯವು ಹೇಳಿರುವಂತೆ “ಸ್ವೀಕಾರಾರ್ಹ ಪರಿಷ್ಕೃತ ವೇತನ ಶ್ರೇಣಿಯ ಮೇಲೆ ತೀರ್ಮಾನಿಸುವುದು ಕಾರ್ಯಾಂಗದ ಪ್ರಕಾರ್ಯವಾಗಿದೆ ಹಾಗೂ ಅಂಥ ಆಡಳಿತಾತ್ಮಕ ತೀರ್ಮಾನದ ನ್ಯಾಯಿಕ ಪುನರಾವಲೋಕನದ ವ್ಯಾಪ್ತಿಯು ಸೀಮಿತವಾಗಿದೆ”. ಮುಂದುವರೆದು, ಭಾರತ ಒಕ್ಕೂಟ ವಿರುದ್ಧ ಮಾಣಿಕ್ ಲಾಲ್ ಬ್ಯಾನರ್ಜಿ [2006 ಎನ್‌ಸಿಸಿ (ಎಲ್ & ಎಸ್) 1959] ಪ್ರಕರಣದಲ್ಲಿ ಮಾನ್ಯ ಅಪೆಲ್ಸ್ ನ್ಯಾಯಾಲಯವು ಹೇಳಿರುವಂತೆ ವೇತನಶ್ರೇಣಿಯನ್ನು ಪರಿಷ್ಕರಿಸುವಾಗ ಹಣಕಾಸು ತೊಡಕಿನ ಆಧಾರದ ಮೇಲೆ cut-off ದಿನಾಂಕವನ್ನು ನಿಗದಿಪಡಿಸುವುದು ಪ್ರಮುಖ ಅಂಶವಾಗಿರುವುದರಿಂದ;

ತರುವಾಯದ ವೇತನ ಪರಿಷ್ಕರಣೆಯ ಆಧಾರದ ಮೇಲೆ ಪೂರ್ವಾನ್ವಯವಾಗಿ ನಿವೃತ್ತಿ ವೇತನ ಮಂಜೂರಾತಿ ಅಥವಾ ನಿವೃತ್ತಿ ವೇತನ ನಿರ್ಧರಣೆಯು ರಾಜ್ಯದ ನೀತಿಗೆ ವಿರುದ್ಧವಾಗಿದೆ ಮತ್ತು ರಾಜ್ಯ ಸರ್ಕಾರವು ರಚಿಸಿದ ನಿಯಮಗಳಿಗೆ ವಿರುದ್ಧವಾಗಿದೆ. ತರುವಾಯದ ವೇತನ ಪರಿಷ್ಕರಣೆಯ ಆಧಾರದ ಮೇಲೆ ಪೂರ್ವಾನ್ವಯವಾಗಿ ನಿವೃತ್ತಿ ವೇತನವನ್ನು ಹೆಚ್ಚಿಸಿ ಮಂಜೂರು ಮಾಡುವ ಯಾವುದೇ ತೀರ್ಮಾನವು ರಾಜ್ಯ ಸರ್ಕಾರದ ನೀತಿಯಲ್ಲಿ ಇರುವುದಿಲ್ಲ. ತರುವಾಯದ ವೇತನ ಪರಿಷ್ಕರಣೆಯ ದಿನಾಂಕದಂದು ಸೇವೆಯು ಕೊನೆಗೊಳ್ಳಬೇಕಾದ ಶಿಕ್ಷಕರು ಅವರದೇ ಆದ ಪ್ರತ್ಯೇಕ ವರ್ಗವನ್ನು ರಚಿಸಿಕೊಳ್ಳುವರು. ತರುವಾಯದಲ್ಲಿ ವೇತನ ಪರಿಷ್ಕರಿಸಲಾದ ಶಿಕ್ಷಕರೊಂದಿಗೆ ಅವರನ್ನು ಸಮೀಕರಿಸಲು ಸಾಧ್ಯವಾಗುವುದಿಲ್ಲ. ಮುಂದುವರೆದು, ಇದು ದೊಡ್ಡ ಮೊತ್ತಗಳ ಹಣ ಪಾವತಿಯನ್ನು ಒಳಗೊಂಡಿರುವುದು ಹಾಗೂ ರಾಜ್ಯ ಬೊಕ್ಕಸಕ್ಕೆ ಹೆಚ್ಚಿನ ಹಣಕಾಸು ಹೊರೆಯನ್ನು ಉಂಟುಮಾಡುವುದರಿಂದ;

ಮತ್ತು ಯುಜಿಸಿ/ಐಸಿಎಆರ್/ಎಐಸಿಟಿಇ ಹಾಗೂ ಮಾರ್ಪಡಿತ ಎಐಸಿಟಿಇ ವೇತನ ಶ್ರೇಣಿಗಳ ಪರಿಷ್ಕರಣೆಗೂ ಮೊದಲು ನಿವೃತ್ತರಾದ ಶಿಕ್ಷಕರಿಗೆ ನಿವೃತ್ತಿ ವೇತನ ನಿಗದಿ ಮತ್ತು ನಿವೃತ್ತಿ ವೇತನ ಸೌಲಭ್ಯಗಳನ್ನು ಮಂಜೂರು ಮಾಡುವಲ್ಲಿನ ಗೊಂದಲವನ್ನು ಬಗೆಹರಿಸುವುದು ಯುಕ್ತವಾಗಿರುವುದರಿಂದ ಮತ್ತು ಅಗತ್ಯವಾಗಿರುವುದರಿಂದ;

ವಿಷಯವು ತುರ್ತು ಸ್ವರೂಪದ್ದಾಗಿದ್ದರಿಂದ ಹಾಗೂ ರಾಜ್ಯ ವಿಧಾನಮಂಡಲದ ಉಭಯ ಸದನಗಳು ಅಧಿವೇಶನದಲ್ಲಿ ಇಲ್ಲದಿದ್ದರಿಂದ ಮೇಲಿನ ಧೈಯೋದ್ದೇಶವನ್ನು ಸಾಧಿಸುವುದಕ್ಕಾಗಿ ಕರ್ನಾಟಕ ಉನ್ನತ ಶೈಕ್ಷಣಿಕ ಸಂಸ್ಥೆಗಳಲ್ಲಿ ಶಿಕ್ಷಕರ ವೇತನ ಮತ್ತು ನಿವೃತ್ತಿ ವೇತನದ ನಿಯಂತ್ರಣ ಅಧ್ಯಾದೇಶ, 2020ನ್ನು (2020ರ ಕರ್ನಾಟಕ ಅಧ್ಯಾದೇಶ ಸಂಖ್ಯೆ 1) ಪ್ರಖ್ಯಾಪಿಸಲಾಯಿತು.

ಸದರಿ ಅಧ್ಯಾದೇಶಕ್ಕೆ ಬದಲಾಗಿ ಈ ವಿಧೇಯಕವನ್ನು ಮಂಡಿಸಲಾಗಿದೆ.

ಆದ್ದರಿಂದ ಈ ವಿಧೇಯಕ.

**ಕರ್ನಾಟಕ ವಿಧಾನಸಭೆಯ ಕಾರ್ಯವಿಧಾನ ಮತ್ತು ನಡವಳಿಕೆಗಳ ೮೦ನೇ ನಿಯಮದ (೧)ನೇ ಉಪನಿಯಮದ ಮೂಲಕ
ಅಗತ್ಯಪಡಿಸಲಾದಂತೆ ವಿವರಣಾತ್ಮಕ ಹೇಳಿಕೆ**

ಸರ್ಕಾರಿ ಕಾಲೇಜುಗಳಲ್ಲಿ, ಕಾನೂನಿನ ಮೂಲಕ ಸ್ಥಾಪನೆಯಾದ ವಿಶ್ವವಿದ್ಯಾಲಯಗಳಲ್ಲಿ ಹಾಗೂ ರಾಜ್ಯ ಸರ್ಕಾರದ ನಿಯಂತ್ರಣದಡಿಯಲ್ಲಿರುವ ಸರ್ಕಾರಿ ಅನುದಾನಿತ ಉನ್ನತ ಶೈಕ್ಷಣಿಕ ಸಂಸ್ಥೆಗಳಲ್ಲಿ ಕಾರ್ಯನಿರ್ವಹಿಸುತ್ತಿರುವ ಶಿಕ್ಷಕರಿಗೆ ಅನ್ವಯವಾಗುವ ವೇತನ, ನಿವೃತ್ತಿ ವೇತನ ಮತ್ತು ನಿವೃತ್ತಿ ವೇತನ ಪ್ರಯೋಜನಗಳನ್ನು ನಿಯಂತ್ರಿಸಲು ಒಂದು ವಿಧೇಯಕ.

ಭಾರತ ಸಂವಿಧಾನದ ೩೦೯ನೇ ಅನುಚ್ಛೇದದ ಉಪಬಂಧಗಳ ಅಡಿಯಲ್ಲಿ ಮತ್ತು ಭಾರತ ಸಂವಿಧಾನದ ೬೪ನೇ ಅನುಸೂಚಿಯ IIನೇ ಪಟ್ಟಿಯ 14, 32 ಮತ್ತು 41ನೇ ನಮೂದುಗಳ ಅಡಿಯಲ್ಲಿ ಹಾಗೂ IIIನೇ ಪಟ್ಟಿಯ 25ನೇ ನಮೂದಿನ ಅಡಿಯಲ್ಲಿ, ರಾಜ್ಯ ವಿಧಾನಮಂಡಲವು ಸಾರ್ವಜನಿಕ ಸೇವೆಗಳಿಗೆ ಹಾಗೂ ಕರ್ನಾಟಕ ಸರ್ಕಾರದ ಮಾಧ್ಯಮಗಳೊಂದಿಗೆ ಸಂಬಂಧಿಸಿದ ಹುದ್ದೆಗಳಿಗೆ ನೇಮಕವಾದ ವ್ಯಕ್ತಿಗಳ ಸೇವಾಪರಾಂಶಗಳನ್ನು ಕಾನೂನಿನ ಮೂಲಕ ನಿಯಂತ್ರಿಸಬಹುದಾಗಿರುವುದರಿಂದ;

ರಾಜ್ಯ ಸರ್ಕಾರ ಅಥವಾ ಅನುದಾನಿತ ಕಾಲೇಜುಗಳು ಅಥವಾ ಸಂಸ್ಥೆಗಳ ಮೂಲಕ ನಿಯೋಜಿತರಾದ ಯುಜಿಸಿ/ಎಐಸಿಟಿಇ/ಐಸಿಎಆರ್ ಅಥವಾ ಮಾರ್ಪಡಿತ ಎಐಸಿಟಿಇ ವೇತನ ಶ್ರೇಣಿಗಳನ್ನು ಪಡೆಯುತ್ತಿರುವ ಉನ್ನತ ಶಿಕ್ಷಣ ಸಂಸ್ಥೆಗಳ ಹುದ್ದೆಯೊಂದರಲ್ಲಿ ಕಾರ್ಯನಿರ್ವಹಿಸಲು ನೇಮಕವಾದ ಶಿಕ್ಷಕರೊಬ್ಬರು ಆ ಹುದ್ದೆಯ ಪೂರ್ವಭಾವ್ಯ ವೇತನವನ್ನು ಪಡೆಯಲು ಹಕ್ಕುಳ್ಳವರಾಗಿರುತ್ತಾರೆ ಮತ್ತು ಅಂಥ ಶಿಕ್ಷಕನ ವೇತನ ಮತ್ತು ನಿವೃತ್ತಿ ವೇತನ ಪ್ರಯೋಜನಗಳು, ನಿವೃತ್ತಿಯ ಅಥವಾ ವಯೋನಿವೃತ್ತಿಯ ಅಥವಾ ಸಂದರ್ಭಾನುಸಾರವಾಗಿ ಮರಣದ ಸಮಯದಲ್ಲಿ ನಿವೃತ್ತಿವೇತನದ ಮಂಜೂರಾತಿಯನ್ನು ನಿಯಂತ್ರಿಸುವ ಅನ್ವಯವಾಗುವ ನಿಯಮಗಳು/ ಆದೇಶಗಳಿಗನುಸಾರವಾಗಿ ನಿರ್ಧರಿಸಲಾಗುವುದರಿಂದ;

ಯುಜಿಸಿ/ಐಸಿಎಆರ್/ಎಐಸಿಟಿಇ ಅಥವಾ ಮಾರ್ಪಡಿತ ಎಐಸಿಟಿಇ ವೇತನ ಶ್ರೇಣಿಗಳ ನಿವೃತ್ತ ಶಿಕ್ಷಕರು ನಿವೃತ್ತಿ ವೇತನ ಮತ್ತು ನಿವೃತ್ತಿ ವೇತನ ಪ್ರಯೋಜನಗಳ ಉದ್ದೇಶಕ್ಕಾಗಿ ರಾಜ್ಯ ಸರ್ಕಾರದ ಉಳಿದ ಸರ್ಕಾರಿ ನಿವೃತ್ತಿದಾರರಿಗೆ ತತ್ಸಮಾನರಾಗಿರುತ್ತಾರೆ. ಮುಂದುವರೆದು, ರಾಜ್ಯ ಸರ್ಕಾರವು ನಿರ್ವಹಿಸಿ ಅನುದಾನ ನೀಡುತ್ತಿರುವ ಸಂಸ್ಥೆಗಳಲ್ಲಿ ಕಾರ್ಯನಿರ್ವಹಿಸುತ್ತಿರುವ ಯುಜಿಸಿ/ಐಸಿಎಆರ್/ಎಐಸಿಟಿಇ ಅಥವಾ ಮಾರ್ಪಡಿತ ಎಐಸಿಟಿಇ ವೇತನ ಶ್ರೇಣಿಗಳಲ್ಲಿನ ಶಿಕ್ಷಕರು ಮತ್ತು ತತ್ಸಮಾನ ವೃಂದದ ಸಿಬ್ಬಂದಿಯ ನಿವೃತ್ತಿ ವೇತನ ಮತ್ತು ನಿವೃತ್ತಿ ವೇತನ ಪ್ರಯೋಜನಗಳನ್ನು ರಾಜ್ಯ ಸರ್ಕಾರದ ನಿಯಮಗಳ ಅನುಸಾರವಾಗಿ ನಿರ್ಧರಿಸತಕ್ಕದ್ದು ಎನ್ನುವುದು ಕೂಡಾ ರಾಜ್ಯ ಸರ್ಕಾರದ ಸ್ಥಾಪಿತ ನೀತಿಯಾಗಿರುತ್ತದೆ. ನಿವೃತ್ತಿ ವೇತನದ ಸಂಬಂಧದಲ್ಲಿ cut-off ದಿನಾಂಕವನ್ನು ವೇತನ ಪರಿಷ್ಕರಣೆಯ ಬಹುದೊಡ್ಡ ಹಣಕಾಸಿನ ತೊಡಕುಗಳು ಮತ್ತು ಕೇಂದ್ರ ಸರ್ಕಾರದ ಹಣಕಾಸಿನ ನೆರವು, ಮುಂತಾದವುಗಳು ಯಾವುದಾದರೂ ಇದ್ದಲ್ಲಿ ಅಂಥ ಇತರ ಸಂಬಂಧಪಟ್ಟ ಅಂಶಗಳನ್ನು ಪರಿಗಣನೆಗೆ ತೆಗೆದುಕೊಂಡು ನಿರ್ಧರಿಸಲಾಗುವುದರಿಂದ;

ಪೂರ್ವಭಾವಿ ನೀತಿಯ ವಿಷಯದಂತೆ, ತರುವಾಯದ ವೇತನ ಪರಿಷ್ಕರಣೆಯ cut-off ದಿನಾಂಕಕ್ಕೆ ಮೊದಲು ನಿವೃತ್ತರಾದ ನಿವೃತ್ತ ಶಿಕ್ಷಕರ ನಿವೃತ್ತಿ ವೇತನವು, ರಾಜ್ಯ ಸರ್ಕಾರದ ನಿರ್ಧಾರದ ಅನುಸಾರವಾಗಿ ಸಂವಾದಿ ವೇತನ ಶ್ರೇಣಿಗಳ ಪರಿಷ್ಕರಣೆಯು ಜಾರಿಯಾದಾಗಲೆಲ್ಲಾ, ಮತ್ತಷ್ಟು ಪರಿಷ್ಕರಣೆಗೆ ಒಳಪಡಬೇಕಾಗಿರುವುದರಿಂದ;

ಉನ್ನತ ಶಿಕ್ಷಣದ ಸಂಬಂಧದಲ್ಲಿ ಶೈಕ್ಷಣಿಕ ವಿಷಯಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಉನ್ನತ ಶಿಕ್ಷಣ ಪರಿಷತ್ತು ರಾಜ್ಯ ಸರ್ಕಾರಕ್ಕೆ ಸಲಹಾ ಸಮಿತಿಯಾಗಿರುವುದು ಮತ್ತು ಉನ್ನತ ಶೈಕ್ಷಣಿಕ ಸಂಸ್ಥೆಗಳ ಶಿಕ್ಷಕರ ವೇತನ ಅಥವಾ ನಿವೃತ್ತಿ ವೇತನದ ಪರಿಷ್ಕರಣೆಯ ಕುರಿತು ಶಿಫಾರಸ್ಸು ಮಾಡಲು ಅಥವಾ ಸಲಹೆ ನೀಡಲು ಕರ್ನಾಟಕ ರಾಜ್ಯ ಉನ್ನತ ಶಿಕ್ಷಣ

ಪರಿಷತ್ತು ಅಧಿನಿಯಮ, 2010ರ (2010ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 26) ಅಡಿಯಲ್ಲಿ ಸದರಿ ಪರಿಷತ್ತಿಗೆ ಯಾವುದೇ ಅಧಿಕಾರವನ್ನು ನೀಡಲಾಗಿರುವುದಿಲ್ಲ. ಪರಿಷತ್ತಿನ ಯಾವುದೇ ಸೂಚನೆ ಅಥವಾ ಸಲಹೆಯು ರಾಜ್ಯ ಸರ್ಕಾರದ ಮೇಲೆ ಬದ್ಧಕಾರಿಯಾಗಿರುವುದಿಲ್ಲವಾದ್ದರಿಂದ;

ಸರ್ಕಾರವು ದಿನಾಂಕ:24.07.2015ರ ಸರ್ಕಾರಿ ಆದೇಶದಲ್ಲಿ, 01-01-2006ಕ್ಕೂ ಮೊದಲಿನ ನಿವೃತ್ತಿದಾರರಿಗೆ 2006ರ ಯುಜಿಸಿ ವೇತನ ಶ್ರೇಣಿಯನ್ನು ವಿಸ್ತರಿಸುವ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಉನ್ನತ ಶಿಕ್ಷಣ ಪರಿಷತ್ತಿನ ಶಿಫಾರಸ್ಸನ್ನು ತಿರಸ್ಕರಿಸಿದೆ. ರಿಟ್ ಪೀಟಿಷನ್ ಸಂಖ್ಯೆ:775-787/2015 (ಎಸ್-ಆರ್) ಮೂಲಕ ಕರ್ನಾಟಕದ ಮಾನ್ಯ ಉಚ್ಚ ನ್ಯಾಯಾಲಯದಲ್ಲಿ ಪ್ರಶ್ನಿಸಲಾಗಿದ್ದು ಸದರಿ ರಿಟ್ ಪೀಟಿಷನ್ ಅನ್ನು ಪುರಸ್ಕರಿಸಿ, ಕರ್ನಾಟಕದ ಮಾನ್ಯ ಉಚ್ಚ ನ್ಯಾಯಾಲಯವು ಈ ರೀತಿ ಅಭಿಪ್ರಾಯ ಪಟ್ಟಿರುವುದರಿಂದ, ಎಂದರೆ:-

“The State is required to demonstrate that the case of the petitioners falls under Category II as enunciated by their Lordships in V.Kasturi (supra). The meaning of the words “permissible in law” in this context means the inherently differentiable separate classification in law, projected as Category II in V. Kasturi (supra). The State has failed to point out that the fixing of cut-off date was inherently permissible under a specific provision of Law. No justifiable reason or rationale in fixing the cut-off date is provided by the State, except pointing out to the effective date fixed in the Government Order dated: 24.12.2009 of Government of India and communicated dated: 11.03.2010, issued by the Ministry of Human Resources Development. The artificial classification by fixing a cut-off date is nothing but creating a class with a class, which is not permissible. The law laid down in Nakara (supra) that the object sought to be achieved was not to create a class within a class, but to ensure that the benefits of pension were made available to all persons of the same class, continues to hold the field even to this date. The artificial classification sought to be made by the State does not satisfy the test of Article 14.”

ಬಿ.ಜೆ.ಅಕ್ಕರ ಮತ್ತು ಇತರರು ವಿರುದ್ಧ ಭಾರತ ಸರ್ಕಾರ ಮತ್ತು ಇತರರು [(2006) 11 ಎಸ್‌ಸಿಸಿ 709] ಈ ವಿಷಯದಲ್ಲಿ ಭಾರತದ ಮಾನ್ಯ ಸರ್ವೋಚ್ಚ ನ್ಯಾಯಾಲಯವು ನಿವೃತ್ತಿ ವೇತನ ನಿಗದಿ ಮತ್ತು ನಿವೃತ್ತಿ ವೇತನ ಮಂಜೂರಾತಿಯ ಕೆಲವು ಸುನಿಶ್ಚಿತವಾದ ತತ್ವಗಳನ್ನು ವಿವರಿಸಿದ್ದು, ಅದಕ್ಕನುಸಾರವಾಗಿ, ನಿರ್ದಿಷ್ಟ ದರ್ಜೆಯಲ್ಲಿ ನಿವೃತ್ತರಾಗುವ ಎಲ್ಲಾ ನಿವೃತ್ತಿದಾರರು ಎಲ್ಲಾ ಉದ್ದೇಶಗಳಿಗಾಗಿ ಏಕ ವರ್ಗವಾಗಿ ರೂಪುಗೊಳ್ಳುವುದಿಲ್ಲ. ವೇತನದ ವ್ಯತ್ಯಾಸದ ಹಿನ್ನೆಲೆಯಲ್ಲಿ ಅಥವಾ ಜಾರಿಯಲ್ಲಿರುವ ವಿವಿಧ ವೇತನ ಶ್ರೇಣಿಗಳ ಹಿನ್ನೆಲೆಯಲ್ಲಿ ನಿವೃತ್ತಿಯ ಸಮಯದಲ್ಲಿ ಸರಾಸರಿ ಲೆಕ್ಕಹಾಕಬಹುದಾದ ಉಪದಾನಗಳು ಇದ್ದಲ್ಲಿ ಒಂದೇ ದರ್ಜೆಯಲ್ಲಿ ನಿವೃತ್ತರಾದ ನಿವೃತ್ತಿದಾರರಿಗೆ ಒಂದೇ ತೆರನಾದ ನಿವೃತ್ತಿ ವೇತನವನ್ನು ನೀಡಬೇಕಾಗಿಲ್ಲ. ಮೇಲಿನ ಪ್ರಕರಣದಲ್ಲಿ ಮಾನ್ಯ ಅಪೆಕ್ಸ್ ನ್ಯಾಯಾಲಯವು ವಿವರಿಸಿದ ತತ್ವಗಳೂ ಕೂಡಾ ರಾಜ್ಯ ನೀತಿಯ ಅನುಸಾರವಾಗಿರುವುದರಿಂದ;

ಜಗದೀಶ್ ಪ್ರಸಾದ್ ಶರ್ಮಾ ಮತ್ತು ಇತರರು ವಿರುದ್ಧ ಬಿಹಾರ ರಾಜ್ಯ ಮತ್ತು ಇತರರು ಇದರಲ್ಲಿ (2013) 8ಎಸ್‌ಸಿಸಿ 633ರಲ್ಲಿ ವರದಿಯಾದಂತೆ, ಅಪೆಕ್ಸ್ ನ್ಯಾಯಾಲಯವು ಯುಜಿಸಿ ವಿನಿಯಮಗಳು ರಾಜ್ಯದ ಮೇಲೆ ಸ್ವಯಂಚಾಲಿತವಾಗಿ ಬದ್ಧಕಾರಿಯಾಗಿರುವುದಿಲ್ಲ. ಯುಜಿಸಿ ವಿನಿಯಮಗಳು ಶಾಸನಬದ್ಧ ಬಲವಿದ್ದಾಗ್ಯೂ ಅಂಥ ನಿಯಮಗಳು ರಾಜ್ಯದ ಸಮಗ್ರ

ಅಧಿಕಾರವನ್ನು ಮೊಟಕುಗೊಳಿಸಲು ಸಾಧ್ಯವಿಲ್ಲವಾದ್ದರಿಂದ ಪ್ರಸ್ತುತ ವಾಸ್ತವತೆಯಲ್ಲಿ ಸನ್ನಿವೇಶವು ರಾಜ್ಯ ನೀತಿಯ ವ್ಯಾಪ್ತಿಯೊಳಗೆ ಬರುವುದರಿಂದ ಮತ್ತು ಜಗದೀಶ ಪ್ರಸಾದ್ ಶರ್ಮಾ ಪ್ರಕರಣದಲ್ಲಿ ಉಲ್ಲೇಖಿಸಿದಂತೆ ಅನುಸರಿಸುವಲ್ಲಿ 01.01.2006ಕ್ಕೂ ಮೊದಲು ನಿವೃತ್ತರಾಗಿರುವ ಶಿಕ್ಷಕರಿಗೆ ಪರಿಷ್ಕೃತ ನಿವೃತ್ತಿ ವೇತನ ಪ್ರಯೋಜನಗಳನ್ನು ವಿಸ್ತರಿಸಲಾಗುವುದಿಲ್ಲ ಎಂಬುದು ರಾಜ್ಯದ ನೀತಿ ನಿರ್ಣಯವಾಗಿರುವುದರಿಂದ;

ಕೇಂದ್ರ ಸರ್ಕಾರವು ದಿನಾಂಕ: 11.03.2010ರ ಪತ್ರದಲ್ಲಿ 01.01.2006ಕ್ಕೂ ಮೊದಲು ನಿವೃತ್ತರಾದ ರಾಜ್ಯ ವಿಶ್ವವಿದ್ಯಾಲಯಗಳು ಮತ್ತು ಕಾಲೇಜುಗಳ ಯುಜಿಸಿ ವೇತನ ಶ್ರೇಣಿಯಲ್ಲಿರುವ ಶಿಕ್ಷಕರಿಗೆ ದಿನಾಂಕ: 11.03.2010ರ ಪತ್ರದಲ್ಲಿ ಉದ್ದೇಶಿಸಿರುವಂತೆ ನಿವೃತ್ತಿ ವೇತನ ಸ್ವರೂಪದ ಪರಿಷ್ಕರಣೆಯ ಪ್ರಯೋಜನವನ್ನು ನೀಡುವುದು ರಾಜ್ಯ ಸರ್ಕಾರಕ್ಕೆ ಕಡ್ಡಾಯವಾಗಿರುವುದಿಲ್ಲ ಎಂಬುದಾಗಿ ಸೂಚಿಸಿರುತ್ತದೆ ಹಾಗೂ ಅಂತೆಯೇ ರಾಜ್ಯ ಸರ್ಕಾರಕ್ಕೆ ನಿಹಿತವಾಗಿರುವ ವಿವೇಚನಾ ಅಧಿಕಾರಗಳ ಅನುಸಾರವಾಗಿ ಭಾರತ ಸರ್ಕಾರದ ದಿನಾಂಕ: 11.03.2010ರ ಪತ್ರದಂತೆ ಪ್ರಯೋಜನಗಳನ್ನು ನೀಡಲಾಗುವುದಿಲ್ಲವೆಂದು ತೀರ್ಮಾನಿಸಲಾಗಿರುವುದರಿಂದ;

ಭಾರತ ಒಕ್ಕೂಟ ವಿರುದ್ಧ ಎಸ್.ರಾಕೂರ್ [(2009)(1) ಎನ್‌ಸಿಸಿ (ಎಲ್ & ಎಸ್) 329] ಪ್ರಕರಣದಲ್ಲಿ ಮಾನ್ಯ ಭಾರತ ಸರ್ವೋಚ್ಚ ನ್ಯಾಯಾಲಯವು ಹೇಳಿರುವಂತೆ “ಸ್ವೀಕಾರಾರ್ಹ ಪರಿಷ್ಕೃತ ವೇತನ ಶ್ರೇಣಿಯ ಮೇಲೆ ತೀರ್ಮಾನಿಸುವುದು ಕಾರ್ಯಾಂಗದ ಪ್ರಕಾರ್ಯವಾಗಿದೆ ಹಾಗೂ ಅಂಥ ಆಡಳಿತಾತ್ಮಕ ತೀರ್ಮಾನದ ನ್ಯಾಯಿಕ ಪುನರಾವಲೋಕನದ ವ್ಯಾಪ್ತಿಯು ಸೀಮಿತವಾಗಿದೆ”. ಮುಂದುವರೆದು, ಭಾರತ ಒಕ್ಕೂಟ ವಿರುದ್ಧ ಮಾಣಿಕ್ ಲಾಲ್ ಬ್ಯಾನರ್ಜಿ [2006 ಎನ್‌ಸಿಸಿ (ಎಲ್ & ಎಸ್) 1959] ಪ್ರಕರಣದಲ್ಲಿ ಮಾನ್ಯ ಅಪೆಲ್ಸ್ ನ್ಯಾಯಾಲಯವು ಹೇಳಿರುವಂತೆ ವೇತನಶ್ರೇಣಿಯನ್ನು ಪರಿಷ್ಕರಿಸುವಾಗ ಹಣಕಾಸು ತೊಡಕಿನ ಆಧಾರದ ಮೇಲೆ cut-off ದಿನಾಂಕವನ್ನು ನಿಗದಿಪಡಿಸುವುದು ಪ್ರಮುಖ ಅಂಶವಾಗಿರುವುದರಿಂದ;

ತರುವಾಯದ ವೇತನ ಪರಿಷ್ಕರಣೆಯ ಆಧಾರದ ಮೇಲೆ ಪೂರ್ವಾನ್ವಯವಾಗಿ ನಿವೃತ್ತಿ ವೇತನ ಮಂಜೂರಾತಿ ಅಥವಾ ನಿವೃತ್ತಿ ವೇತನ ನಿರ್ಧರಣೆಯು ರಾಜ್ಯದ ನೀತಿಗೆ ವಿರುದ್ಧವಾಗಿದೆ ಮತ್ತು ರಾಜ್ಯ ಸರ್ಕಾರವು ರಚಿಸಿದ ನಿಯಮಗಳಿಗೆ ವಿರುದ್ಧವಾಗಿದೆ. ತರುವಾಯದ ವೇತನ ಪರಿಷ್ಕರಣೆಯ ಆಧಾರದ ಮೇಲೆ ಪೂರ್ವಾನ್ವಯವಾಗಿ ನಿವೃತ್ತಿ ವೇತನವನ್ನು ಹೆಚ್ಚಿಸಿ ಮಂಜೂರು ಮಾಡುವ ಯಾವುದೇ ತೀರ್ಮಾನವು ರಾಜ್ಯ ಸರ್ಕಾರದ ನೀತಿಯಲ್ಲಿ ಇರುವುದಿಲ್ಲ. ತರುವಾಯದ ವೇತನ ಪರಿಷ್ಕರಣೆಯ ದಿನಾಂಕದಂದು ಸೇವೆಯು ಕೊನೆಗೊಳ್ಳಬೇಕಾದ ಶಿಕ್ಷಕರು ಅವರದೇ ಆದ ಪ್ರತ್ಯೇಕ ವರ್ಗವನ್ನು ರಚಿಸಿಕೊಳ್ಳುವರು. ತರುವಾಯದಲ್ಲಿ ವೇತನ ಪರಿಷ್ಕರಿಸಲಾದ ಶಿಕ್ಷಕರೊಂದಿಗೆ ಅವರನ್ನು ಸಮೀಕರಿಸಲು ಸಾಧ್ಯವಾಗುವುದಿಲ್ಲ. ಮುಂದುವರೆದು, ಇದು ದೊಡ್ಡ ಮೊತ್ತಗಳ ಹಣ ಪಾವತಿಯನ್ನು ಒಳಗೊಂಡಿರುವುದು ಹಾಗೂ ರಾಜ್ಯ ಬೊಕ್ಕಸಕ್ಕೆ ಹೆಚ್ಚಿನ ಹಣಕಾಸು ಹೊರೆಯನ್ನು ಉಂಟುಮಾಡುವುದರಿಂದ;

ಮತ್ತು ಯುಜಿಸಿ/ಐಸಿಎಆರ್/ಎಐಸಿಟಿಇ ಹಾಗೂ ಮಾರ್ಪಡಿತ ಎಐಸಿಟಿಇ ವೇತನ ಶ್ರೇಣಿಗಳ ಪರಿಷ್ಕರಣೆಗೂ ಮೊದಲು ನಿವೃತ್ತರಾದ ಶಿಕ್ಷಕರಿಗೆ ನಿವೃತ್ತಿ ವೇತನ ನಿಗದಿ ಮತ್ತು ನಿವೃತ್ತಿ ವೇತನ ಸೌಲಭ್ಯಗಳನ್ನು ಮಂಜೂರು ಮಾಡುವಲ್ಲಿನ ಗೊಂದಲವನ್ನು ಬಗೆಹರಿಸುವುದು ಯುಕ್ತವಾಗಿರುವುದರಿಂದ ಮತ್ತು ಅಗತ್ಯವಾಗಿರುವುದರಿಂದ;

ವಿಷಯವು ತುರ್ತು ಸ್ವರೂಪದ್ದಾಗಿದ್ದರಿಂದ ಹಾಗೂ ರಾಜ್ಯ ವಿಧಾನಮಂಡಲದ ಉಭಯ ಸದನಗಳು ಅಧಿವೇಶನದಲ್ಲಿ ಇಲ್ಲದಿದ್ದರಿಂದ ಮೇಲಿನ ಧೈಯೋದ್ದೇಶವನ್ನು ಸಾಧಿಸುವುದಕ್ಕಾಗಿ ಕರ್ನಾಟಕ ಉನ್ನತ ಶೈಕ್ಷಣಿಕ ಸಂಸ್ಥೆಗಳಲ್ಲಿ ಶಿಕ್ಷಕರ ವೇತನ ಮತ್ತು ನಿವೃತ್ತಿ ವೇತನದ ನಿಯಂತ್ರಣ ಅಧ್ಯಾದೇಶ, 2020ನ್ನು (2020ರ ಕರ್ನಾಟಕ ಅಧ್ಯಾದೇಶ ಸಂಖ್ಯೆ 1) ಪ್ರಖ್ಯಾಪಿಸಲಾಯಿತು.

ಆರ್ಥಿಕ ಜ್ಞಾಪನ ಪತ್ರ

ಪ್ರಸ್ತಾವಿತ ಶಾಸನಾತ್ಮಕ ಕ್ರಮವು ಯಾವುದೇ ಹೆಚ್ಚಿನ ಆರ್ಥಿಕ ವೆಚ್ಚವನ್ನು ಒಳಗೊಂಡಿರುವುದಿಲ್ಲ.

ಪ್ರತ್ಯಾಯೋಜಿತ ಶಾಸನ ರಚನಾಧಿಕಾರದ ಕುರಿತು ಜ್ಞಾಪನ ಪತ್ರ

ಖಂಡ 3:	(1)ನೇ ಉಪಖಂಡವು, ಶಿಕ್ಷಕನು ತಾನು ಕ್ರಮಬದ್ಧವಾಗಿ ನೇಮಕವಾದ ಹುದ್ದೆಗೆ ಲಗತ್ತಾದ ವೇತನ ಮತ್ತು ಭತ್ಯೆಗಳನ್ನು ಪಡೆಯುವ ಕುರಿತು ನಿಯಮಗಳನ್ನು ರಚಿಸಲು ರಾಜ್ಯ ಸರ್ಕಾರಕ್ಕೆ ಅಧಿಕಾರವನ್ನು ನೀಡುತ್ತದೆ.
ಖಂಡ 4:	(1)ನೇ ಉಪಖಂಡವು, ನಿವೃತ್ತಿಯ ಅಥವಾ ವಯೋನಿವೃತ್ತಿಯ ಅಥವಾ ಸಂದರ್ಭಾನುಸಾರವಾಗಿ ಮರಣದ ದಿನಾಂಕಕ್ಕೆ ನಿಕಟ ಪೂರ್ವದಲ್ಲಿ ಸೆಳೆದ ಕೊನೆಯ ವೇತನದ (Last pay drawn) ಅನುಸಾರವಾಗಿ ಗರಿಷ್ಠ ಮಿತಿಗೆ ಒಳಪಟ್ಟು, ಶಿಕ್ಷಕನ ವೇತನ ಮತ್ತು ನಿವೃತ್ತಿ ವೇತನ ಪ್ರಯೋಜನಗಳ ಕುರಿತು ನಿಯಮಗಳನ್ನು ರಚಿಸಲು ರಾಜ್ಯ ಸರ್ಕಾರಕ್ಕೆ ಅಧಿಕಾರವನ್ನು ನೀಡುತ್ತದೆ.
ಖಂಡ 13:	(1)ನೇ ಉಪಖಂಡವು, ಈ ಅಧಿನಿಯಮದ ಉದ್ದೇಶಗಳನ್ನು ಕಾರ್ಯಗತಗೊಳಿಸುವುದಕ್ಕಾಗಿ ಪೂರ್ವ ಪ್ರಕಟಣೆಯ ತರುವಾಯ ನಿಯಮಗಳನ್ನು ರಚಿಸಲು ರಾಜ್ಯ ಸರ್ಕಾರಕ್ಕೆ ಅಧಿಕಾರವನ್ನು ನೀಡುತ್ತದೆ.

ಪ್ರಸ್ತಾವಿತ ಶಾಸನ ರಚನಾಧಿಕಾರದ ಪ್ರತ್ಯಾಯೋಜನೆಯು ವಾಡಿಕೆಯ ಸ್ವರೂಪದ್ದಾಗಿದೆ.

ಡಾ.ಅಶ್ವತ್ಥ ನಾರಾಯಣ್ ಸಿ.ಎನ್,

ಉಪ ಮುಖ್ಯಮಂತ್ರಿ ಮತ್ತು ಉನ್ನತ ಶಿಕ್ಷಣ, ಮಾಹಿತಿ ತಂತ್ರಜ್ಞಾನ ಮತ್ತು ಜೈವಿಕ ತಂತ್ರಜ್ಞಾನ, ವಿಜ್ಞಾನ ಮತ್ತು ತಂತ್ರಜ್ಞಾನ, ಕೌಶಲ್ಯ ಅಭಿವೃದ್ಧಿ, ಉದ್ಯಮಶೀಲತೆ ಮತ್ತು ಜೀವನೋಪಾಯ ಮಂತ್ರಿ.

ಎಂ.ಕೆ. ವಿಶಾಲಾಕ್ಷಿ
ಕಾರ್ಯದರ್ಶಿ (ಪ್ರ)
ಕರ್ನಾಟಕ ವಿಧಾನ ಸಭೆ



KARNATAKA LEGISLATIVE ASSEMBLY

FIFTEENTH LEGISLATIVE ASSEMBLY

SIXTH SESSION

**THE KARNATAKA REGULATION OF PAY AND PENSION OF TEACHER IN
HIGHER EDUCATIONAL INSTITUTIONS BILL, 2020
(LA Bill No. 10 of 2020)**

ABill to regulate pay, pension and pensionary benefits admissible to the teacher working in Government Colleges, Universities established by law and in Government aided Higher Educational Institutions under the control of the State Government.

Whereas under the provisions of Article 309 of the Constitution of India and under Entries 14, 32 and 41 of List II and under Entry 25 of List III of the Seventh Schedule to the Constitution of India, the Legislature of the State may by law regulate the conditions of service of persons appointed to public services and posts in connection with the instrumentalities of the State of Karnataka:

Whereas a teacher in Higher Educational Institutions drawing UGC/AICTE/ICAR or modified AICTE pay scales are employed by the State Government or aided Colleges or institutions appointed to officiate in a post is entitled to draw the presumptive pay of that post and the pension and pensionary benefits of such teacher is determined with reference to the applicable Rules / orders governing grant of pension at the time of retirement or superannuation or death as the case may be.

Whereas the retired teacher of UGC/ICAR/AICTE or modified AICTE Pay Scales are on par with the rest of the State Government pensioners for the purpose of pension and pensionary benefits. Further, it is also an established policy of the State Government that the pension and pensionary benefits of teachers and equivalent cadre staff on UGC/ICAR/AICTE or modified AICTE scales of pay working in institutions maintained and aided by State Government shall be determined as per the Rules of the State Government. The cut-off date in respect of revision of pay and pension is decided taking into consideration the huge financial implications of pay revision and other relevant factors like Central Government financial assistance, if any, etc.,

Whereas, as a matter of precedent policy the pension of the retired teachers who retired prior to the cut-off date of the subsequent pay revision is subjected to further revision, as and when the corresponding revision of pay scales are effected as per decision of the State Government.

Whereas, the Karnataka State Higher Education Council is an Advisory body to the State Government regarding Academic matter pertaining to Higher Education and no power is given to the said Council under the Karnataka State Higher Education Council Act, 2010 (Karnataka Act No.26 of 2010) to recommend or advice on revision of pay or pension to teachers of Higher Educational Institutions. Any adviseor suggestion by the council is not binding on the State Government.

Whereas the Government in Order dated: 24.07.2015 rejected the recommendation of the Karnataka State Higher Education Council to extend the 2006 UGC pay scale prior to 01.01.2006 retirees. This was challenged in the Hon'ble High Court of Karnataka in Writ Petition No. 775-787/2015 (S-R). Allowing the said writ petition, the Hon'ble High Court of Karnataka has observed as follows,namely;-

“The State is required to demonstrate that the case of the petitioners falls under Category II as enunciated by their Lordships in V.Kasturi (supra). The meaning of the words “permissible in law” in this context means the inherently differentiable separate classification in law, projected as Category II in V. Kasturi (supra). The State has failed to point out that the fixing of cut-off date was inherently permissible under a specific provision of Law. No justifiable reason or rationale in fixing the cut-off date is provided by the State, except pointing out to the effective date fixed in the Government Order dated: 24.12.2009 of Government of India and communicated dated: 11.03.2010, issued by the Ministry of Human Resources Development. The artificial classification by fixing a cut-off date is nothing but creating a class with a class, which is not permissible. The law laid down in Nakara (supra) that the object sought to be achieved was not to create a class within a class, but to ensure that the benefits of pension were made available to all persons of the same class, continues to hold the field even to this date. The artificial classification sought to be made by the State does not satisfy the test of Article 14.”

Whereas, the Hon'ble Supreme Court of India in the matter of B.J.Akkara and Ors. V/s GOI&Ors. [(2006) 11 SCC 709] has enunciated certain well settled

principles of fixation of pension and grant of pension, accordingly all retirees retiring with a particular rank do not form a single class for all purposes. Pensioners who retired with same rank need not be given identical pension where the average reckonable emoluments at the time of retirement were different in view of the difference in pay or in view of different pay scales being in force. The principles enunciated by the Hon'ble Apex Court in the above case is in accordance with the policy of the State as well.

Whereas, in Jagdish Prasad Sharma and others v/s State of Bihar and others reported in (2013) 8 SCC 633, the Apex Court has categorically held that UGC regulations are not automatically binding on the State since the plenary power of the State cannot be curtailed by such regulations even though the UGC regulations have statutory force. In the present fact situation comes within the ambit of State policy and the policy decision of the State Government not to extend the revised pensionary benefits to teachers who have retired prior to 01.01.2006 is in compliance with the dicta in Jagdish Prasad Sharma.

Whereas, the Central Government in the letter dated:11.03.2010 had indicated that, it was not mandatory for State Government to give the benefit of revision of pension structure as contemplated in letter dated:11.03.2010 to the teachers of State Universities and Colleges on UGC pay scales, who retired prior to 01.01.2006 and as such, as per the discretionary powers vested in State Government it was decided not to give benefit vide letter dated:11.03.2010 of Government of India.

Whereas, the Hon'ble Supreme Court of India in the matter of Union of India v/s S.Thakur [(2009) (1) SCC (L&S)329] has held that 'it is the function of the executive to decide on the admissible revised pay scale and scope of judicial review of such an administrative decision is very limited'. Further, the Hon'ble Apex Court in the case of Union of India V/s Maniklal Banerjee [2006 SCC (L&S) 1959] has held 'that fixation of cutoff date based upon the financial implication is relevant factor while revising the pay scale'.

Whereas, grant of pension or determination of pension retrospectively based on the subsequent revision of pay scales is against the policy of the State and against the rules framed by the State Government. Any decision to grant enhanced pension retrospectively based on the subsequent revision of pay scale

is not the policy of the State Government. Teachers ceased to be in service as on the date of subsequent revision of pay scale constitute a separate class by themselves. They cannot be equated with teachers whose pay has been revised subsequently. Further, it involves payment of large sums of money and it will be a huge financial burden to the State Exchequer.

And whereas it is necessary and expedient to clear the ambiguity in fixation of pension and grant of pensionary benefits to the teacher, who has retired before revision of UGC/ICAR/AICTE or modified AICTE scales of pay:

Be it enacted by the Karnataka State Legislature in the seventy first year of the Republic of India, as follows:-

1. Short title and Commencement.-(1) This Act may be called the Karnataka Regulation of Pay and Pension of Teachers in Higher Educational Institutions Act, 2020.

(2) Section 2,3,4,5,6 and 12 shall be deemed to have come into force with effect from 1st January 1986 and remaining provisions shall come into force with effect from 17th January, 2020.

2. Definitions.-(1) In this Act unless the context otherwise requires:-

- (i) **“AICTE”** means the All India Council for Technical Education constituted under All India Council for Technical Education Act, 1987 (Central Act 52 of 1987);
- (ii) **“College”** means any college or an institution maintained or approved by or affiliated to any University or constituent college of the University and providing courses of study for admission to the examination of the University and includes Autonomous College either under the control of State or funded either substantially or partially by the State Government and includes Government/Aided Colleges and Polytechnic Institutions;
- (iii) **“Competent Authority”** means the State Government or any other authority competent to make orders as to regulation of pay and pension of the teachers in Government Colleges, Universities or aided institutions;
- (iv) **“Government”** means the Government of Karnataka;

- (v) **“Higher Educational Institutions”** means an Academic Institution of Higher Education and Research Associated with and admitted to privileges of a University or maintained by a University; whether professional, technical or otherwise and includes research studies or an institution or a college affiliated to the University, aided institutions and State funded institutions;
- (vi) **“ICAR”** means Indian Council of Agricultural Research;
- (vii) **“Pay”** means the basic pay attached to the post and carries the same meaning assigned in clause (32) of rule 8 of the Karnataka Civil Services Rules but does not include Non-Pension Allowance (NPA) and other special allowance granted under relevant provisions of UGC/ICAR/AICTE or modified AICTE as the case may be;
- (viii) **“Pension”** means the pension as defined in clause (33) of rule 8 of the Karnataka Civil Services Rules or respective rules or orders governing grant of pension issued by the Competent Authority;
- (ix) **“Prescribed”** means prescribed by rules made by the Government;
- (x) **“Principal”** means the head of a college or institution by whatever name he is called;
- (xi) **“Teacher”** means a person appointed to any of the category of teaching posts such as Professor, Associate Professor, Assistant Professor, Lecturer, Librarians, Reader or Physical Education Personnel by whatever name called and includes all personnel including Principal or Head of the Institution holding post carrying pay scale of UGC/ICAR/AICTE or modified AICTE respectively in Higher educational Institutions.
- (xii) **“UGC”** means University Grants Commission established under University Grants Commission Act, 1956 (Central Act 03 of 1956); and
- (xiii) **“University”** means an University established by law of the State Legislature.

(2) Words and expressions used in this Act but not defined hereinabove shall have the same meanings as respectively assigned to them under the Karnataka Civil Services Rules and applicable Pension rules or Orders.

3. Regulation of pay and allowances of a teacher.-(1) Subject to such rules as may be prescribed a teacher is entitled to draw the pay and allowances attached to a post to which he is regularly appointed.

(2) The pay of a teacher shall be so regulated as per the Service rules or Orders of the Competent Authority regulating the pay and allowances as the case may be, but not under the provisions of regulations issued by the Government of India or any other Central Government Institution established by an Act of Parliament of India:

Provided that, the pay and allowances of any retired teacher, if he is reappointed or appointed on consolidated pay or contractual agreement etc., shall be determined in accordance with the provisions of the applicable Service Rules or Orders of the State Government and Statutes or rules made by the respective Universities/Higher Educational Institutions governing contractual appointment or under any agreement entered either by the State Government or Higher Educational Institutions as the case may be.

4.Regulation of pension and pensionary benefits of a teacher.-(1) Subject to such rules as may be prescribed the pension and pensionary benefits of a teacher shall be determined with reference to the last pay drawn immediately prior to the date of retirement or superannuation or death, as the case may be, subject to maximum limit, if any, in accordance with the provisions of the Karnataka Civil Services Rules or Triple Benefit Scheme Rules read with the applicable Pension Rules and Orders as the case may be, if any, issued by the Competent Authority from time to time.

(2) The pension and pensionary benefits once determined shall not be subject to revision unless the pay of the retired teacher is revised retrospectively either by a rule or order of the Competent Authority extending the benefit of revised pay scales retrospectively subject to the conditions imposed in the said Order or rules:

Provided that, a retired teacher is entitled, to get revision of pension or pensionary benefits as per section 5.

5. Revision of Pension of a Teacher.-(1) A teacher shall be entitled for revision of pension corresponding to which has been already settled, as and when State Government revises pension as per recommendation of the Pay

Commission or Committee from time to time and same is adopted by the Higher Educational institutions.

(2) On revision of pay scale, a retired teacher whose pension is settled as per sub-section (1) of section 4 shall not be entitled for revision of his last pay drawn, in new revised pay scale, which is extended only to a teacher retired after implementation of revised scales of pay.

6. Validation of Proceedings and extinguishment of claims.-

Notwithstanding anything contained in any judgment, decree or order of any Court, Tribunal or Authority or any Law for the time being in force,-

(a) any rule, order or notification made or issued by the Competent Authority regulating pay, pension and pensionary benefits of a teacher regarding UGC/ICAR/AICTE or modified AICTE scale of pay before the commencement of this Act to the extent they are not contrary to the provisions of this Act; or any action done or taken by the Competent Authority in accordance with the provisions of said rules, order or notification shall be deemed to have been validly done or taken under the provisions of this Act; and

(b) any relief regarding pension or pensionary benefits granted to any person by any court contrary to the provisions of this Act shall stand extinguished and any claim of a teacher for revision of pension, which has already been settled by reckoning last pay drawn in pay scale prevailing at time of superannuation or death for extending new revised pay scale shall stand extinguished and accordingly,-

- (i) no suit or other proceedings shall be maintained or continued in any court against the Government by any teacher claiming revision of pension on basis of new revision in pay scales; and
- (ii) no Court shall enforce any decree or order directing revision of pay scales of a teacher and revision in pension retrospectively.

7. Review.- The State Government may review the fixation of pay and pension contrary to the provisions of the Service Rules applicable to the teacher including cases of mistake of fact or law or ignorance of law, either on its own or by an application and may direct the competent authority to re-fix the pay or

pension or both in accordance with law. However, no arrears shall be recovered if the fixation of pension relates back to five years or more or if the State Government is satisfied that recovery causes undue hardship to the pensioner.

8. Delegation of powers.- The State Government, may by notification, delegate all or any of the powers conferred on it by or under this Act, to such officer or authority subordinate to it except the power to make rules under section 13.

9. Powers of the Government to give directions:-The Government, subject to the provisions of this Act read with the applicable provisions of the Service Rules governing regulation of pay and pension may issue directions from time to time after ascertaining the legality of fixation of pay and pension as it deems necessary.

10. Protection of action taken in good faith.- No suit, prosecution or other legal proceeding shall lie against any officer of the Government for anything done in good faith or intended to be done under this Act.

11. Power to remove difficulties.- (1) If any difficulty arises, in giving effect to the provisions of this Act, the Government may, by order published in the official Gazette, make such provisions not inconsistent with the provisions of this Act, as may appear to be necessary or expedient for removing the difficulty:

Provided that, no such order shall be made after the expiry of a period of two years from the date of commencement of this Act.

(2) Every order made under this section shall, as soon as may be after it is made, be laid before both houses of the State Legislature.

12. Over riding effect.-The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or decree or order of a Court or other authority.

13. Power to make rules.- (1) The Government may make rules, after previous publication by notification, to carry out the purposes of this Act.

(2) Every rule made under this Act shall be laid as soon as may be after it is made before each House of the State Legislature while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making

any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

14. Transitory provisions.-Any rule, order or notification issued by the Competent Authority governing pay, allowances and pension of a teacher before commencement of this Act, shall be deemed to have been issued under this Act to the extent they are not repugnant to the provisions of this Act and they shall continue until they are modified or rescinded by rules made under provisions of this Act.

15. Repeal and Savings.- (1) The Karnataka Regulation of Pay and Pension of Teachers in Higher Educational Institutions Ordinance, 2020 (Karnataka Ordinance No.1 of 2020) is hereby repealed.

(2) Notwithstanding such repeal anything done or any action taken under said Ordinance shall be deemed to have been done or taken under this Act.

STATEMENT OF OBJECTS AND REASONS

It is considered necessary to regulate pay, pension and pensionary benefits admissible to the teacher working in Government Colleges, Universities established by law and in Government aided Higher Educational Institutions under the control of the State Government.

Whereas under the provisions of Article 309 of the Constitution of India and under Entries 14, 32 and 41 of List II and under Entry 25 of List III of the Seventh Schedule to the Constitution of India, the Legislature of the State may by law regulate the conditions of service of persons appointed to public services and posts in connection with the instrumentalities of the State of Karnataka:

Whereas a teacher in Higher Educational Institutions drawing UGC/AICTE/ICAR or modified AICTE pay scales are employed by the State Government or aided Colleges or institutions appointed to officiate in a post is entitled to draw the presumptive pay of that post and the pension and pensionary benefits of such teacher is determined with reference to the applicable Rules / orders governing grant of pension at the time of retirement or superannuation or death as the case may be.

Whereas the retired teacher of UGC/ICAR/AICTE or modified AICTE Pay Scales are on par with the rest of the State Government pensioners for the purpose of pension and pensionary benefits. Further, it is also an established policy of the State Government that the pension and pensionary benefits of teachers and equivalent cadre staff on UGC/ICAR/AICTE or modified AICTE scales of pay working in institutions maintained and aided by State Government shall be determined as per the Rules of the State Government. The cut-off date in respect of revision of pay and pension is decided taking into consideration the huge financial implications of pay revision and other relevant factors like Central Government financial assistance, if any, etc.,

Whereas, as a matter of precedent policy the pension of the retired teachers who retired prior to the cut-off date of the subsequent pay revision is subjected to further revision, as and when the corresponding revision of pay scales are effected as per decision of the State Government.

Whereas, the Karnataka State Higher Education Council is an Advisory body to the State Government regarding Academic matter pertaining to Higher Education and no power is given to the said Council under the Karnataka State Higher Education Council Act, 2010 (Karnataka Act No.26 of 2010) to recommend or advice on revision of pay or pension to teachers of Higher Educational Institutions. Any advise or suggestion by the council is not binding on the State Government.

Whereas the Government in Order dated: 24.07.2015 rejected the recommendation of the Karnataka State Higher Education Council to extend the 2006 UGC pay scale prior to 01.01.2006 retirees. This was challenged in the Hon'ble High Court of Karnataka in Writ Petition No. 775-787/2015 (S-R). Allowing the said writ petition, the Hon'ble High Court of Karnataka has observed as follows namely:-

“The State is required to demonstrate that the case of the petitioners falls under Category II as enunciated by their Lordships in V.Kasturi (supra). The meaning of the words “permissible in law” in this context means the inherently differentiable separate classification in law, projected as Category II in V. Kasturi (supra). The State has failed to point out that the fixing of cut-off date was inherently permissible

under a specific provision of Law. No justifiable reason or rationale in fixing the cut-off date is provided by the State, except pointing out to the effective date fixed in the Government Order dated: 24.12.2009 of Government of India and communicated dated: 11.03.2010, issued by the Ministry of Human Resources Development. The artificial classification by fixing a cut-off date is nothing but creating a class with a class, which is not permissible. The law laid down in Nakara (supra) that the object sought to be achieved was not to create a class within a class, but to ensure that the benefits of pension were made available to all persons of the same class, continues to hold the field even to this date. The artificial classification sought to be made by the State does not satisfy the test of Article 14."

Whereas, the Hon'ble Supreme Court of India in the matter of B.J.Akkara and Ors. V/s GOI&Ors. [(2006) 11 SCC 709] has enunciated certain well settled principles of fixation of pension and grant of pension, accordingly all retirees retiring with a particular rank do not form a single class for all purposes. Pensioners who retired with same rank need not be given identical pension where the average reckonable emoluments at the time of retirement were different in view of the difference in pay or in view of different pay scales being in force. The principles enunciated by the Hon'ble Apex Court in the above case is in accordance with the policy of the State as well.

Whereas, in Jagdish Prasad Sharma and others v/s State of Bihar and others reported in (2013) 8 SCC 633, the Apex Court has categorically held that UGC regulations are not automatically binding on the State since the plenary power of the State cannot be curtailed by such regulations even though the UGC regulations have statutory force. In the present fact situation comes within the ambit of State policy and the policy decision of the State Government not to extend the revised pensionary benefits to teachers who have retired prior to 01.01.2006 is in compliance with the dicta in Jagdish Prasad Sharma.

Whereas, the Central Government in the letter dated:11.03.2010 had indicated that, it was not mandatory for State Government to give the benefit of revision of pension structure as contemplated in letter dated:11.03.2010 to the teachers of State Universities and Colleges on UGC pay scales, who retired prior

to 01.01.2006 and as such, as per the discretionary powers vested in State Government it was decided not to give benefit vide letter dated:11.03.2010 of Government of India.

Whereas, the Hon'ble Supreme Court of India in the matter of Union of India v/s S.Thakur [(2009) (1) SCC (L&S)329] has held that ' it is the function of the executive to decide on the admissible revised pay scale and scope of judicial review of such an administrative decision is very limited'. Further, the Hon'ble Apex Court in the case of Union of India V/s Maniklal Banerjee [2006 SCC (L&S) 1959] has held 'that fixation of cutoff date based upon the financial implication is relevant factor while revising the pay scale'.

Whereas, grant of pension or determination of pension retrospectively based on the subsequent revision of pay scales is against the policy of the State and against the rules framed by the State Government. Any decision to grant enhanced pension retrospectively based on the subsequent revision of pay scale is not the policy of the State Government. Teachers ceased to be in service as on the date of subsequent revision of pay scale constitute a separate class by themselves. They cannot be equated with teachers whose pay has been revised subsequently. Further, it involves payment of large sums of money and it will be a huge financial burden to the State Exchequer.

And whereas it is necessary and expedient to clear the ambiguity in fixation of pension and grant of pensionary benefits to the teacher, who has retired before revision of UGC/ICAR/AICTE or modified AICTE scales of pay:

Since, the matter was urgent and both the houses of the State Legislature were not in session, the Karnataka Regulation of Pay and Pension of Teachers in Higher Educational Institutions Ordinance, 2020 (Karnataka Ordinance No.1 of 2020) was promulgated to achieve the above object.

This Bill seeks to replace the said Ordinance.

Hence the Bill.

EXPLANATORY STATEMENT AS REQUIRED BY SUB-RULE (1) OF RULE 80 OF THE RULES OF PROCEDURE AND CONDUCT OF BUSINESS IN THE KARNATAKA LEGISLATIVE ASSEMBLY

It is considered necessary to regulate pay, pension and pensionary benefits admissible to the teacher working in Government Colleges, Universities established by law and in Government aided Higher Educational Institutions under the control of the State Government.

Whereas under the provisions of Article 309 of the Constitution of India and under Entries 14, 32 and 41 of List II and under Entry 25 of List III of the Seventh Schedule to the Constitution of India, the Legislature of the State may by law regulate the conditions of service of persons appointed to public services and posts in connection with the instrumentalities of the State of Karnataka:

Whereas a teacher in Higher Educational Institutions drawing UGC/AICTE/ICAR or modified AICTE pay scales are employed by the State Government or aided Colleges or institutions appointed to officiate in a post is entitled to draw the presumptive pay of that post and the pension and pensionary benefits of such teacher is determined with reference to the applicable Rules / orders governing grant of pension at the time of retirement or superannuation or death as the case may be.

Whereas the retired teacher of UGC/ICAR/AICTE or modified AICTE Pay Scales are on par with the rest of the State Government pensioners for the purpose of pension and pensionary benefits. Further, it is also an established policy of the State Government that the pension and pensionary benefits of teachers and equivalent cadre staff on UGC/ICAR/AICTE or modified AICTE scales of pay working in institutions maintained and aided by State Government shall be determined as per the Rules of the State Government. The cut-off date in respect of revision of pay and pension is decided taking into consideration the huge financial implications of pay revision and other relevant factors like Central Government financial assistance, if any, etc.,

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Higher Education Council Act, 2010 (Karnataka Act No.26 of 2010) to recommend or advice on revision of pay or pension to teachers of Higher Educational Institutions. Any adviseor suggestion by the council is not binding on the State Government.

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“The State is required to demonstrate that the case of the petitioners falls under Category II as enunciated by their Lordships in V.Kasturi (supra). The meaning of the words “permissible in law” in this context means the inherently differentiable separate classification in law, projected as Category II in V. Kasturi (supra). The State has failed to point out that the fixing of cut-off date was inherently permissible under a specific provision of Law. No justifiable reason or rationale in fixing the cut-off date is provided by the State, except pointing out to the effective date fixed in the Government Order dated: 24.12.2009 of Government of India and communicated dated: 11.03.2010, issued by the Ministry of Human Resources Development. The artificial classification by fixing a cut-off date is nothing but creating a class with a class, which is not permissible. The law laid down in Nakara (supra) that the object sought to be achieved was not to create a class within a class, but to ensure that the benefits of pension were made available to all persons of the same class, continues to hold the field even to this date. The artificial classification sought to be made by the State does not satisfy the test of Article 14.”

Whereas, the Hon'ble Supreme Court of India in the matter of B.J.Akkara and Ors. V/s GOI&Ors. [(2006) 11 SCC 709] has enunciated certain well settled principles of fixation of pension and grant of pension, accordingly all retirees retiring with a particular rank do not form a single class for all purposes. Pensioners who retired with same rank need not be given identical pension where

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Whereas, the Hon'ble Supreme Court of India in the matter of Union of India v/s S.Thakur [(2009) (1) SCC (L&S)329] has held that 'it is the function of the executive to decide on the admissible revised pay scale and scope of judicial review of such an administrative decision is very limited'. Further, the Hon'ble Apex Court in the case of Union of India V/s Maniklal Banerjee [2006 SCC (L&S) 1959] has held 'that fixation of cutoff date based upon the financial implication is relevant factor while revising the pay scale'.

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subsequently. Further, it involves payment of large sums of money and it will be a huge financial burden to the State Exchequer.

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Since, the matter was urgent and both the houses of the State Legislature were not in session, the Karnataka Regulation of Pay and Pension of Teachers in Higher Educational Institutions Ordinance, 2020(Karnataka Ordinance No.1 of 2020) was promulgated to achieve the above object.

FINANCIAL MEMORANDUM

There is no extra expenditure involved in the proposed Legislative measure.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 3:	Sub-clause (1), empowers the State Government to make rules regarding the pay and allowances to be drawn by a teacher attached to a post to which he is regularly appointed.
Clause 4:	Sub-clause (1), empowers the State Government to make rules regarding the determination of pension and pensionary benefits of a teacher with reference to the last pay drawn immediately prior to the date of retirement or superannuation or death, as the case may be, subject to maximum limit.
Clause 13:	Sub-clause (1), empowers the State Government to make rules after previous publication for carrying out the purposes of the Act.

The proposed delegation of Legislative power is normal in character.

DR. ASHWATH NARAYAN C.N.

Deputy Chief Minister and
Minister for Higher Education,
IT & BT, Science and Technology,
Skill Development, Entrepreneurship
and livelihood.

M.K. Vishalakshi

Secretary (I/c)
Karnataka Legislative Assembly



ಕರ್ನಾಟಕ ವಿಧಾನಸಭೆ
ಹದಿನೈದನೇ ವಿಧಾನಸಭೆ
ಆರನೇ ಅಧಿವೇಶನ

No: KLA/LGA/11/Bill/2020, Bengaluru, Dated : 02.03.2020

The following Bill was introduced in Legislative Assembly on 02.03.2020

ಕರ್ನಾಟಕ ಪಟ್ಟಣ ಮತ್ತು ಗ್ರಾಮಾಂತರ ಯೋಜನೆ (ತಿದ್ದುಪಡಿ) ವಿಧೇಯಕ, 2020

(2020ರ ವಿಧಾನಸಭೆಯ ವಿಧೇಯಕ ಸಂಖ್ಯೆ-11)

ಕರ್ನಾಟಕ ಪಟ್ಟಣ ಮತ್ತು ಗ್ರಾಮಾಂತರ ಯೋಜನೆ ಅಧಿನಿಯಮ, 1961ನ್ನು ಮತ್ತಷ್ಟು ತಿದ್ದುಪಡಿ ಮಾಡಲು ಒಂದು ವಿಧೇಯಕ.

ಇಲ್ಲಿ ಇನ್ನುಮುಂದೆ ಕಂಡು ಬರುವ ಉದ್ದೇಶಗಳಿಗಾಗಿ ಕರ್ನಾಟಕ ಪಟ್ಟಣ ಮತ್ತು ಗ್ರಾಮಾಂತರ ಯೋಜನೆ ಅಧಿನಿಯಮ, 1961ನ್ನು (1963ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 11) ಮತ್ತಷ್ಟು ತಿದ್ದುಪಡಿ ಮಾಡುವುದು ಯುಕ್ತವಾಗಿರುವುದರಿಂದ;

ಇದು ಭಾರತ ಗಣರಾಜ್ಯದ ಎಪ್ಪತ್ತೊಂದನೇ ವರ್ಷದಲ್ಲಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ವಿಧಾನಮಂಡಲದಿಂದ ಈ ಮುಂದಿನಂತೆ ಅಧಿನಿಯಮಿತವಾಗಲಿ, ಎಂದರೆ:-

1. ಸಂಕ್ಷಿಪ್ತ ಹೆಸರು ಮತ್ತು ಪ್ರಾರಂಭ.- (1) ಈ ಅಧಿನಿಯಮವನ್ನು ಕರ್ನಾಟಕ ಪಟ್ಟಣ ಮತ್ತು ಗ್ರಾಮಾಂತರ ಯೋಜನೆ (ತಿದ್ದುಪಡಿ) ಅಧಿನಿಯಮ 2020 ಎಂದು ಕರೆಯತಕ್ಕದ್ದು.

(2) ಇದು ಈ ಕೂಡಲೇ ಜಾರಿಗೆ ಬರತಕ್ಕದ್ದು.

2. 14-ಎ ಪ್ರಕರಣದ ತಿದ್ದುಪಡಿ.- ಕರ್ನಾಟಕ ಪಟ್ಟಣ ಮತ್ತು ಗ್ರಾಮಾಂತರ ಯೋಜನೆ ಅಧಿನಿಯಮ, 1961ರ (1963ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 11) 14ಎ ಪ್ರಕರಣದಲ್ಲಿ (2)ನೇ ಉಪಪ್ರಕರಣದ ತರುವಾಯ ಈ ಮುಂದಿನದನ್ನು ಸೇರಿಸತಕ್ಕದ್ದು, ಎಂದರೆ:-

“(3) ಈ ಅಧಿನಿಯಮದಲ್ಲಿ ಏನೇ ಒಳಗೊಂಡಿದ್ದರೂ, ಯಾವುದೇ ಸಾರ್ವಜನಿಕ ಉದ್ದೇಶಕ್ಕಾಗಿ, ಯೋಜನಾ ಪ್ರಾಧಿಕಾರ, ಸ್ಥಳೀಯ ಪ್ರಾಧಿಕಾರ, ಕರ್ನಾಟಕ ಗೃಹ ಮಂಡಳಿ, ಕರ್ನಾಟಕ ಕೊಳಗೇರಿ ಅಭಿವೃದ್ಧಿ ಮಂಡಳಿ, ಕರ್ನಾಟಕ ಕೈಗಾರಿಕಾ ಪ್ರದೇಶಾಭಿವೃದ್ಧಿ ಮಂಡಳಿ, ಕರ್ನಾಟಕ ಸಣ್ಣ ಕೈಗಾರಿಕೆಗಳ ಅಭಿವೃದ್ಧಿ ನಿಗಮ ಅಥವಾ ರಾಜೀವ್ ಗಾಂಧಿ ಗ್ರಾಮೀಣ ವಸತಿ ನಿಗಮ ನಿಯಮಿತ ಇವುಗಳು ಯಾವುದೇ ಭೂಮಿಯನ್ನು ಪಡೆದಾಗಲೆಲ್ಲಾ, ಅಂಥ ಭೂಮಿಯ ಭೂ ಬಳಕೆಯು, 12ನೇ ಪ್ರಕರಣದ (1)ನೇ ಉಪಪ್ರಕರಣದ (ಬಿ), (ಸಿ), ಮತ್ತು (ಎಫ್) ಖಂಡಗಳ ಅಡಿಯಲ್ಲಿ ಮೀಸಲಿರಿಸಿದ ಭೂಮಿಗಳನ್ನು ಹೊರತುಪಡಿಸಿ, ಅದನ್ನು ಯಾವ ಉದ್ದೇಶಕ್ಕಾಗಿ ಪಡೆಯಲಾಗಿದೆಯೋ ಅದೇ ಉದ್ದೇಶಕ್ಕಾಗಿ ಭೂ ಬಳಕೆ ಮಾಡಬೇಕಿದೆ ಎಂದು ಭಾವಿಸತಕ್ಕದ್ದು.”

(4) ಮಾಸ್ಟರ್ ಪ್ಲಾನ್‌ನಿಂದ ಭೂ ಬಳಕೆಯ ಅಂಥ ಬದಲಾವಣೆಯನ್ನು ಅನುಮತಿಸುವ ಮೊದಲು, ಸರ್ಕಾರವು ನಿಯಮಿಸಬಹುದಾದ ಅಂಥ ಶುಲ್ಕವನ್ನು ಯೋಜನಾ ಪ್ರಾಧಿಕಾರವು ವಿಧಿಸತಕ್ಕದ್ದು.”

ಉದ್ದೇಶಗಳು ಮತ್ತು ಕಾರಣಗಳ ಹೇಳಿಕೆ

ಯಾವುದೇ ಸಾರ್ವಜನಿಕ ಉದ್ದೇಶಕ್ಕಾಗಿ, ಯೋಜನಾ ಪ್ರಾಧಿಕಾರ, ಸ್ಥಳೀಯ ಪ್ರಾಧಿಕಾರ, ಕರ್ನಾಟಕ ಗೃಹ ಮಂಡಳಿ, ಕರ್ನಾಟಕ ಕೊಳಗೇರಿ ಅಭಿವೃದ್ಧಿ ಮಂಡಳಿ, ಕರ್ನಾಟಕ ಕೈಗಾರಿಕಾ ಪ್ರದೇಶಾಭಿವೃದ್ಧಿ ಮಂಡಳಿ ಕರ್ನಾಟಕ ಸಣ್ಣ ಕೈಗಾರಿಕೆಗಳ ಅಭಿವೃದ್ಧಿ ನಿಗಮ, ಅಥವಾ ರಾಜೀವ್ ಗಾಂಧಿ ಗ್ರಾಮೀಣ ವಸತಿ ನಿಗಮ ನಿಯಮಿತ ಇವುಗಳು ಯಾವುದೇ ಭೂಮಿಯನ್ನು ಪಡೆದಾಗಲೆಲ್ಲಾ, ಮಾಸ್ಟರ್ ಪ್ಲಾನ್‌ನಿಂದ ಭೂ ಬಳಕೆಯ ಅಂಥ ಬದಲಾವಣೆಯನ್ನು ಮಾಡುವುದಕ್ಕಾಗಿ ಭಾವಿತ ಉಪಬಂಧವನ್ನು ಕಲ್ಪಿಸುವುದಕ್ಕಾಗಿ ಕರ್ನಾಟಕ ಪಟ್ಟಣ ಮತ್ತು ಗ್ರಾಮಾಂತರ ಯೋಜನೆ ಅಧಿನಿಯಮ, 1961ನ್ನು (1963ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 11) ತಿದ್ದುಪಡಿ ಮಾಡುವುದು ಅವಶ್ಯಕವೆಂದು ಪರಿಗಣಿಸಲಾಗಿದೆ.

ಆದ್ದರಿಂದ ಈ ವಿಧೇಯಕ.

ಆರ್ಥಿಕ ಜ್ಞಾಪನ ಪತ್ರ

ಪ್ರಸ್ತಾವಿತ ಶಾಸನಾತ್ಮಕ ಕ್ರಮವು ಯಾವುದೇ ಹೆಚ್ಚಿನ ವೆಚ್ಚವನ್ನು ಒಳಗೊಂಡಿರುವುದಿಲ್ಲ.
ಪ್ರತ್ಯಾಯೋಜಿತ ಶಾಸನ ರಚನಾಧಿಕಾರ ಕುರಿತು ಜ್ಞಾಪನ ಪತ್ರ

ಖಂಡ 2:	ಈ ಖಂಡದ ಅಡಿಯಲ್ಲಿ ಸೇರಿಸಲು ಉದ್ದೇಶಿಸಿರುವ 14-ಎ ಪ್ರಕರಣದ (4)ನೇ ಉಪಪ್ರಕರಣವು, ಮಾಸ್ಟರ್ ಪ್ಲಾನ್‌ನಿಂದ ಭೂಮಿಯ ಬದಲಾವಣೆಗಾಗಿ ಶುಲ್ಕ ವಿಧಿಸುವ ಕುರಿತು ನಿಯಮಗಳನ್ನು ರಚಿಸಲು ರಾಜ್ಯ ಸರ್ಕಾರಕ್ಕೆ ಅಧಿಕಾರವನ್ನು ನೀಡುತ್ತದೆ.
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ಪ್ರಸ್ತಾವಿತ ಶಾಸನಾಧಿಕಾರದ ಪ್ರತ್ಯಾಯೋಜನೆಯು ವಾಡಿಕೆಯ ಸ್ವರೂಪದ್ದಾಗಿದೆ.

ಬಿ. ಎಸ್. ಯಡಿಯೂರಪ್ಪ
ಮುಖ್ಯಮಂತ್ರಿ

ಎಂ.ಕೆ. ವಿಶಾಲಾಕ್ಷಿ
ಕಾರ್ಯದರ್ಶಿ (ಪ್ರ)
ಕರ್ನಾಟಕ ವಿಧಾನ ಸಭೆ

ಅನುಬಂಧ

ಕರ್ನಾಟಕ ಪಟ್ಟಣ ಮತ್ತು ಗ್ರಾಮಾಂತರ ಯೋಜನೆ ಅಧಿನಿಯಮ, 1961ರ (1963ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 11) ಉದ್ಧೃತ ಭಾಗ

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12. ಬೃಹತ್ ಯೋಜನೆಯ ಒಳಾಂಶಗಳು.- (1) ಬೃಹತ್ ಯೋಜನೆಯು, ಯೋಜನಾ ಪ್ರಾಧಿಕಾರದ ಅಧಿಕಾರ ವ್ಯಾಪ್ತಿಯೊಳಗಿರುವ ಇಡೀ ಯೋಜನಾ ಪ್ರದೇಶದ ಅಭಿವೃದ್ಧಿಯನ್ನು ಮತ್ತು ಮೇಲ್ದಾಟನ್ನು, ಕಾರ್ಯಗತಗೊಳಿಸಬೇಕಾದ ಮತ್ತು ವಿನಿಯಮಿಸಬೇಕಾದ ರೀತಿಯನ್ನು ಸೂಚಿಸುವ ನಕ್ಷೆಗಳ ಮತ್ತು ದಸ್ತಾವೇಜುಗಳ ಶ್ರೇಣಿಗಳನ್ನು ಒಳಗೊಂಡಿರತಕ್ಕದ್ದು, ಅಂಥ ಯೋಜನೆಯು ಈ ಮುಂದಿನ ಪ್ರಸ್ತಾವಗಳನ್ನು ಒಳಗೊಂಡಿರತಕ್ಕದ್ದು, ಎಂದರೆ,-

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(ಬಿ) ಮೇಲ್ಕಾಡುಗಳಿಗೆ ಸಂಬಂಧಿಸಿದ ಪ್ರಸ್ತಾವಗಳೊಂದಿಗೆ ತಕ್ಷಣದ ಮತ್ತು ಮುಂದಿನ ಅಗತ್ಯತೆಗಳನ್ನು ಪೂರೈಸುವುದಕ್ಕಾಗಿ ಮುಖ್ಯ ಮತ್ತು ಉಪ ರಸ್ತೆಗಳನ್ನು, ರಾಷ್ಟ್ರೀಯ ಹೆದ್ದಾರಿಗಳನ್ನು ಮತ್ತು ರಾಜ್ಯ ಹೆದ್ದಾರಿಗಳನ್ನು ಮತ್ತು ವಾಹನ ಸಂಚಾರ ಮಾರ್ಗದ ರೀತಿಯನ್ನು ಸೂಚಿಸುವ ಸಂಪೂರ್ಣ ರಸ್ತೆ ಮಾದರಿ;

(ಸಿ) ಉದ್ಯಾನವನಗಳಿಗೆ, ಆಟದ ಮೈದಾನಗಳಿಗೆ ಮತ್ತು ಇತರ ಮನರಂಜನೆಯ ಬಳಕೆಗೆ, ಸಾರ್ವಜನಿಕ ಬಯಲು ಸ್ಥಳಗಳಿಗೆ, ಸಾರ್ವಜನಿಕ ಕಟ್ಟಡಗಳಿಗೆ ಮತ್ತು ಸಂಸ್ಥೆಗಳಿಗೆ ಮೀಸಲಿಟ್ಟ ಪ್ರದೇಶಗಳು ಮತ್ತು ಹೊಸ ನಾಗರಿಕ ಅಭಿವೃದ್ಧಿಗಳಿಗಾಗಿ ವಿಹಿತವಾಗಬಹುದಾದಂಥ ಇತರ ಉದ್ದೇಶಗಳಿಗಾಗಿ ಮೀಸಲಿಟ್ಟ ಪ್ರದೇಶ;

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(ಎಫ್) ಕೆಲವು ಪ್ರದೇಶಗಳನ್ನು ವಿಶೇಷ ನಿಯಂತ್ರಣ ಪ್ರದೇಶಗಳೆಂದು ಘೋಷಿಸುವುದು ಮತ್ತು ಕಟ್ಟಡದ ಎಲ್ಲೆ, ಕಟ್ಟಡದ ಎತ್ತರ, ನೆಲ ಪ್ರದೇಶ ಪ್ರಮಾಣ, ವಾಸ್ತುಶಿಲ್ಪದ ಲಕ್ಷಣಗಳು ಮತ್ತು ನಿಯಮಿಸಬಹುದಾದಂಥ ಇತರ ವಿವರಗಳಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ರಚಿಸಬಹುದಾದಂಥ ವಿನಿಯಮನಗಳಿಗೊಳಪಟ್ಟ ಅಂಥ ಪ್ರದೇಶಗಳಲ್ಲಿ ಅಭಿವೃದ್ಧಿ;

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14ಎ. ಸ್ಥೂಲ ಅಭಿವೃದ್ಧಿ ಯೋಜನೆಯಲ್ಲಿ ಹೇಳಿರುವ ಭೂ ಬಳಕೆಯನ್ನು ಬದಲಾಯಿಸುವುದು.- (1) ಒಂದು ಪ್ರದೇಶದ ಸ್ಥೂಲ ಅಭಿವೃದ್ಧಿ ಯೋಜನೆಯು ಕಾರ್ಯಾಚರಣೆಗೆ ಬಂದ ದಿನಾಂಕದ ತರುವಾಯ ಯಾವುದೇ ಕಾಲದಲ್ಲಿ ಯೋಜನಾ ಪ್ರಾಧಿಕಾರವು, ರಾಜ್ಯ ಸರ್ಕಾರದ ಪೂರ್ವಾನುಮೋದನೆ ಪಡೆದು, ಭೂ ಸ್ಥಳದ, ಸ್ವರೂಪದ, ಭೂ ನಕ್ಷೆಯು, ಅಥವಾ ಇತರ ಲೋಪದೋಷಗಳ ಕಾರಣದಿಂದಾಗಿ ಅಥವಾ ಯೋಜನೆಯಲ್ಲಿ ವಿವರಗಳನ್ನು ಪೂರ್ತಿಯಾಗಿ ಸೂಚಿಸಲು ತಪ್ಪಿದ್ದರಿಂದಾಗಿ ಅಥವಾ ಸ್ಥೂಲ ಅಭಿವೃದ್ಧಿ ಯೋಜನೆಯಲ್ಲಿರುವ ಪ್ರಸ್ತಾವಗಳನ್ನು ಕಾರ್ಯಗತಗೊಳಿಸುವುದರಿಂದ ಉಂಟಾಗುವ ಬದಲಾವಣೆಗಳಿಂದಾಗಿ ಅಥವಾ ಯೋಜನೆಯನ್ನು ಜಾರಿಗೊಳಿಸುವ ಮೂಲಕ ಯಾವುದೇ ನಿರ್ದಿಷ್ಟ ಕಾಲದಲ್ಲಿ ಇರುವ ಸಂದರ್ಭಗಳಿಂದಾಗಿ ಅಗತ್ಯವಾಗಬಹುದಾದಂತೆ ಸ್ಥೂಲ ಅಭಿವೃದ್ಧಿ ಯೋಜನೆಯಲ್ಲಿ ಹೇಳಿರುವ ಭೂ ಬಳಕೆಯ ಅಥವಾ ಅಭಿವೃದ್ಧಿಯ ಬದಲಾವಣೆಗೆ ಅನುಮತಿಸಬಹುದು:

ಪರಂತು,-

(ಎ) ಎಲ್ಲಾ ಬದಲಾವಣೆಗಳು ಸಾರ್ವಜನಿಕ ಹಿತಾಸಕ್ತಿಗೆ ಅನುಗುಣವಾಗಿರಬೇಕು;

(ಬಿ) ಪ್ರಸ್ತಾವಿಸಲಾದ ಬದಲಾವಣೆಗಳು ಈ ಅಧಿನಿಯಮದ ಅಥವಾ ಯೋಜನೆಯನ್ನು, ಅಥವಾ ಸ್ಥಳೀಯ ಯೋಜನಾ ಪ್ರದೇಶದೊಳಗಿರುವ ಭೂ ಅಭಿವೃದ್ಧಿಯನ್ನು ಅಥವಾ ಬಳಕೆಯನ್ನು ನಿಯಂತ್ರಿಸುವ ಇತರ ಯಾವುದೇ ಕಾನೂನಿನ ಯಾವುದೇ ಉಪಬಂಧಗಳನ್ನು ಉಲ್ಲಂಘಿಸಬಾರದು; ಮತ್ತು

(ಸಿ) ಅಂಥ ಎಲ್ಲಾ ಬದಲಾವಣೆಗಳ ಪ್ರಸ್ತಾವಗಳನ್ನು ಆ ಪ್ರದೇಶದಲ್ಲಿ ಪ್ರಸಾರದಲ್ಲಿರುವ ಒಂದು ಅಥವಾ ಹೆಚ್ಚು ದೈನಂದಿನ ವೃತ್ತಪತ್ರಿಕೆಗಳಲ್ಲಿ ಪ್ರಕಟಿಸಬೇಕು, ಆ ಪ್ರಕಟಣೆಯಲ್ಲಿ ಯೋಜನಾ ಪ್ರಾಧಿಕಾರವು ನಿರ್ದಿಷ್ಟಪಡಿಸಬಹುದಾದಂತೆ, ಪ್ರಕಟಣೆಯ ದಿನಾಂಕದಿಂದ ಹದಿನೈದು ದಿನಗಳಿಗೆ ಕಡಿಮೆಯಿಲ್ಲದ ಅವಧಿಯೊಳಗೆ ಸಾರ್ವಜನಿಕರಿಂದ ಆ ಬಗ್ಗೆ ಅಕ್ಷೇಪಣೆಗಳನ್ನು ಆಹ್ವಾನಿಸಬೇಕು.

(2) 14ನೇ ಪ್ರಕರಣದ (2)ನೇ ಮತ್ತು (3)ನೇ ಉಪಪ್ರಕರಣದ ಉಪಬಂಧಗಳು ಸ್ಥೂಲ ಅಭಿವೃದ್ಧಿ ಯೋಜನೆಯಲ್ಲಿ ಹೇಳಿರುವ ಭೂ ಬಳಕೆಯ ಅಥವಾ ಅಭಿವೃದ್ಧಿಯ ಬದಲಾವಣೆಗೆ ಯಥೋಚಿತ ವ್ಯತ್ಯಾಸಗಳೊಂದಿಗೆ ಅನ್ವಯವಾಗತಕ್ಕದ್ದು.

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KARNATAKA LEGISLATIVE ASSEMBLY

FIFTEENTH LEGISLATIVE ASSEMBLY

SIXTH SESSION

THE KARNATAKA TOWN AND COUNTRY PLANNING (AMENDMENT) BILL, 2020

(LA Bill No. 11 of 2020)

A Bill further to amend the Karnataka Town and Country Planning Act, 1961.

Whereas it is expedient further to amend the Karnataka Town and Country Planning Act, 1961 (Karnataka Act 11 of 1963) for the purposes hereinafter appearing:

Be it enacted by the Karnataka State Legislature in the seventy first year of the Republic of India, as follows:-

1. Short title and commencement.- (1) This Act may be called the Karnataka Town and Country Planning (Amendment) Act, 2020.

(2) It shall come into force at once.

2. Amendment of section 14-A.- In the Karnataka Town and Country Planning Act, 1961 (Karnataka Act 11 of 1963) in section 14A after sub-section (2) the following shall be inserted, namely:-

"(3) Notwithstanding anything contained in this Act, whenever any land is procured by the Planning Authority, Local Authority, Karnataka Housing Board, Karnataka Slum Development Board, Karnataka Industrial Area Development Board, Karnataka Small Scale Industries Development Corporation or Rajiv Gandhi Rural Housing Corporation Limited for any public purpose, the land use of such land, excluding lands reserved under clauses (b), (c) and (f) of sub-section (1) of section 12 shall be deemed to be the land use for the purpose for which it has been procured.

(4) The Planning Authority shall levy such fee as may be prescribed by the Government before allowing such change of land use from the Master Plan."

STATEMENT OF OBJECTS AND REASONS

It is considered necessary to amend the Karnataka Town and Country Planning Act, 1961 (Karnataka Act 11 of 1963) to make a deemed provision for

change of land use from the master plan whenever any land is procured by the Planning Authority, Local Authority, Karnataka Housing Board, Karnataka Slum Development Board, Karnataka Industrial Area Development Board, Karnataka Small Scale Industries Development Corporation or Rajiv Gandhi Rural Housing Corporation Limited for any public purpose.

Hence the Bill.

FINANCIAL MEMORANDUM

There is no extra- expenditure involved in the proposed legislative measure.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 2: sub section (4) of section 14-A sought to be inserted under this clause, empowers the State Government to make rules regarding levy of fee for change of land from the master plan.

The proposed delegation of legislative power is normal in Character.

B.S.YEDIYURAPPA
Chief Minister

M.K. Vishalakshi
Secretary (I/c)
Karnataka Legislative Assembly

ANNEXURE

EXTRACT FROM THE KARNATAKA TOWN AND COUNTRY PLANNING ACT, 1961 (KARNATAKA ACT 11 OF 1963)

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12. Contents of Master Plan.- (1) The Master Plan shall consist of a series of maps and documents indicating the manner in which the development and improvement of the entire planning area within the jurisdiction of the Planning Authority are to be carried out and regulated, such plan shall include proposals for the following, namely:-

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(b) a complete street pattern, indicating major and minor roads, national highways, and state highways, and traffic circulation pattern, for meeting immediate and future requirements with proposals for improvements;

(c) areas reserved for parks, playgrounds, and other recreational uses, public open spaces, public buildings and institutions and area reserved for such other purposes as may be expedient for new civic developments;

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(f) declaring certain areas, as areas of special control and development in such areas being subject to such regulations as may be made in regard to building line, height of the building, floor area ratio, architectural features and such other particulars as may be prescribed;

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14A. Change of land use from the outline development plan.-(1) At any time after the date on which the outline development plan for an area comes into operation, the Planning Authority may, with the previous approval of the State Government, allow such changes in the land use or development from the outline development plan as may be necessitated by topographical cartographical or other errors and omissions, or due to failure to fully indicate the details in the plan or changes arising out of the implementation of the proposals in outline development plan or the circumstances prevailing at any particular time, by the enforcement of the plan:

Provided that,- (a) all changes are in public interest;

(b) the changes proposed do not contravene any of the provisions of this Act or any other law governing planning, development or use of land within the local planning area; and

(c) the proposal for all such changes are published in one or more daily newspapers, having circulation in the area, inviting objections from the public within a period of not less than fifteen days from the date of publication as may be specified by the Planning Authority.

(2) The provisions of sub-section (2) and (3) of section 14 shall apply mutatis mutandis to the change in land use or development from the outline development plan.

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PR-109



ಕರ್ನಾಟಕ ವಿಧಾನಸಭೆ
ಹದಿನೈದನೇ ವಿಧಾನಸಭೆ
ಆರನೇ ಅಧಿವೇಶನ

No: KLA/LGA/12/Bill/2020, Bengaluru, Dated : 02.03.2020

The following Bill was introduced in Legislative Assembly on 02.03.2020

ಕರ್ನಾಟಕ ಪೌರಸಭೆಗಳು ಮತ್ತು ಕೆಲವು ಇತರ ಕಾನೂನು (ತಿದ್ದುಪಡಿ) ವಿಧೇಯಕ, ೨೦೨೦
(೨೦೨೦ರ ವಿಧಾನಸಭೆಯ ವಿಧೇಯಕ ಸಂಖ್ಯೆ-೧೨)

ಕರ್ನಾಟಕ ಪೌರಸಭೆಗಳ ಅಧಿನಿಯಮ, ೧೯೬೪ನ್ನು ಮತ್ತು ಕರ್ನಾಟಕ ನಗರಪಾಲಿಕೆಗಳ ಅಧಿನಿಯಮ, ೧೯೭೬ನ್ನು ಮತ್ತಷ್ಟು ತಿದ್ದುಪಡಿ ಮಾಡುವುದಕ್ಕಾಗಿ ಒಂದು ವಿಧೇಯಕ.

ಇಲ್ಲಿ ಇನ್ನುಮುಂದೆ ಕಂಡುಬರುವ ಉದ್ದೇಶಗಳಿಗಾಗಿ ಕರ್ನಾಟಕ ಪೌರ ಸಭೆಗಳ ಅಧಿನಿಯಮ, ೧೯೬೪ನ್ನು (೧೯೬೪ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ ೨೨) ಮತ್ತು ಕರ್ನಾಟಕ ನಗರಪಾಲಿಕೆಗಳ ಅಧಿನಿಯಮ, ೧೯೭೬ನ್ನು (೧೯೭೭ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ ೧೪) ಮತ್ತಷ್ಟು ತಿದ್ದುಪಡಿ ಮಾಡುವುದು ಯುಕ್ತವಾಗಿರುವುದರಿಂದ;

ಇದು ಭಾರತ ಗಣರಾಜ್ಯದ ಎಪ್ಪತ್ತೊಂದನೇ ವರ್ಷದಲ್ಲಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ವಿಧಾನಮಂಡಲದಿಂದ ಈ ಮುಂದಿನಂತೆ ಅಧಿನಿಯಮಿತವಾಗಲಿ:-

೧. ಸಂಕ್ಷಿಪ್ತ ಹೆಸರು ಮತ್ತು ಪ್ರಾರಂಭ:- (೧) ಈ ಅಧಿನಿಯಮವನ್ನು ಕರ್ನಾಟಕ ಪೌರಸಭೆಗಳು ಮತ್ತು ಕೆಲವು ಇತರ ಕಾನೂನು (ತಿದ್ದುಪಡಿ) ಅಧಿನಿಯಮ, ೨೦೨೦ ಎಂದು ಕರೆಯತಕ್ಕದ್ದು.

(೨) ಇದು ಈ ಕೂಡಲೇ ಜಾರಿಗೆ ಬರತಕ್ಕದ್ದು.

೨. ೧೯೬೪ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ ೨೨ಕ್ಕೆ ತಿದ್ದುಪಡಿ:- ಕರ್ನಾಟಕ ಪೌರಸಭೆಗಳ ಅಧಿನಿಯಮ, ೧೯೬೪ರಲ್ಲಿ (೧೯೬೪ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ ೨೨), ೩೫ನೇ ಪ್ರಕರಣದ (೨)ನೇ ಉಪಪ್ರಕರಣದ (ಜೆ) ಖಂಡದಲ್ಲಿ (vi-ಎ) ಉಪಖಂಡದ ತರುವಾಯ ಈ ಮುಂದಿನದನ್ನು ಸೇರಿಸತಕ್ಕದ್ದು, ಎಂದರೆ :-

“(vi-ಬಿ) ಅರ್ಹ ಮತದಾರನು, ಚುನಾವಣೆಯಲ್ಲಿ ಸ್ಪರ್ಧಿಸಿದ ಅಭ್ಯರ್ಥಿಗಳ ಪೈಕಿ ಯಾವೊಬ್ಬ ಅಭ್ಯರ್ಥಿಯ ಪರವಾಗಿ ತನ್ನ ಮತವನ್ನು ಚಲಾಯಿಸಲು ಇಚ್ಛಿಸದಿರುವ ಸಂದರ್ಭದಲ್ಲಿ ಅತನು None Of The Above (NOTA) (ಮೇಲಿನ ಯಾರೊಬ್ಬರಿಗೂ ಅಲ್ಲ) ಎಂದು ಮತವನ್ನು ಚಲಾಯಿಸುವ ರೀತಿ;”

೩. ೧೯೭೭ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ ೧೪ಕ್ಕೆ ತಿದ್ದುಪಡಿ:- ಕರ್ನಾಟಕ ನಗರಪಾಲಿಕೆಗಳ ಅಧಿನಿಯಮ, ೧೯೭೬ರಲ್ಲಿ (೧೯೭೭ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ ೧೪), ೫೫ನೇ ಪ್ರಕರಣದ (೨)ನೇ ಉಪಪ್ರಕರಣದ (ಎಚ್) ಖಂಡದಲ್ಲಿ (vi-ಎ) ಉಪಖಂಡದ ತರುವಾಯ ಈ ಮುಂದಿನದನ್ನು ಸೇರಿಸತಕ್ಕದ್ದು, ಎಂದರೆ :-

“(vi-ಬಿ) ಅರ್ಹ ಮತದಾರನು, ಚುನಾವಣೆಯಲ್ಲಿ ಸ್ಪರ್ಧಿಸಿದ ಅಭ್ಯರ್ಥಿಗಳ ಪೈಕಿ ಯಾವೊಬ್ಬ ಅಭ್ಯರ್ಥಿಯ ಪರವಾಗಿ ತನ್ನ ಮತವನ್ನು ಚಲಾಯಿಸಲು ಇಚ್ಛಿಸದಿರುವ ಸಂದರ್ಭದಲ್ಲಿ ಆತನು None Of The Above (NOTA) (ಮೇಲಿನ ಯಾರೊಬ್ಬರಿಗೂ ಇಲ್ಲ) ಎಂದು ಮತವನ್ನು ಚಲಾಯಿಸುವ ರೀತಿ;”

ಉದ್ದೇಶಗಳು ಮತ್ತು ಕಾರಣಗಳ ಹೇಳಿಕೆ

ಚುನಾವಣೆಯಲ್ಲಿ ಸ್ಪರ್ಧಿಸುವ ಅಭ್ಯರ್ಥಿಗಳ ಪೈಕಿ None Of The Above (NOTA) (ಮೇಲಿನ ಯಾರೊಬ್ಬರಿಗೂ ಇಲ್ಲ) ಕುರಿತು ಮತಪತ್ರಗಳಲ್ಲಿ ಹಾಗೂ ವಿದ್ಯುನ್ಮಾನ ಮತಯಂತ್ರದಲ್ಲಿ ಮತದಾರರಿಗೆ ಆಯ್ಕೆಯನ್ನು ನೀಡಲು ಕರ್ನಾಟಕ ಪೌರ ಸಭೆಗಳ ಅಧಿನಿಯಮ, 1964ನ್ನು (1964ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 22) ಮತ್ತು ಕರ್ನಾಟಕ ನಗರಪಾಲಿಕೆಗಳ ಅಧಿನಿಯಮ, 1976ನ್ನು (1977ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 14) ತಿದ್ದುಪಡಿ ಮಾಡುವುದು ಅವಶ್ಯವೆಂದು ಪರಿಗಣಿಸಲಾಗಿದೆ.

ಆದ್ದರಿಂದ ಈ ವಿಧೇಯಕ.

ಆರ್ಥಿಕ ಜ್ಞಾಪನ ಪತ್ರ

ಪ್ರಸ್ತಾವಿತ ಶಾಸನಾತ್ಮಕ ಕ್ರಮವು ಯಾವುದೇ ಹೆಚ್ಚಿನ ವೆಚ್ಚವನ್ನು ಒಳಗೊಳ್ಳುವುದಿಲ್ಲ.

ಬಿ. ಎಸ್. ಯಡಿಯೂರಪ್ಪ
ಮುಖ್ಯಮಂತ್ರಿ

ಎಂ.ಕೆ. ವಿಶಾಲಾಕ್ಷಿ
ಕಾರ್ಯದರ್ಶಿ (ಪ್ರ)
ಕರ್ನಾಟಕ ವಿಧಾನ ಸಭೆ

ಅನುಬಂಧ

ಕರ್ನಾಟಕ ಪೌರಸಭೆಗಳ ಅಧಿನಿಯಮ, 1964ರ (1964ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 22) ಉದ್ವೃತ ಭಾಗ

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38. ಚುನಾವಣೆಗಳ ನಿಯಂತ್ರಣ.- Xx

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(2) (1)ನೇ ಉಪಪ್ರಕರಣಕ್ಕೆ ಒಳಪಟ್ಟು, ಸರ್ಕಾರವು ಈ ಅಧಿನಿಯಮದ ಮೇರೆಗೆ ಕೌನ್ಸಿಲರುಗಳ ಚುನಾವಣೆಗಳನ್ನು ನಡೆಸುವ ಉದ್ದೇಶಕ್ಕಾಗಿ ಈ ಕೆಳಕಂಡ ಎಲ್ಲ ಅಥವಾ ಯಾವುದೇ ವಿಷಯಗಳ ಬಗ್ಗೆ ಉಪಬಂಧಿಸಲು ಅಥವಾ ಅವುಗಳನ್ನು ನಿಯಂತ್ರಿಸಲು ನಿಯಮಗಳನ್ನು ರಚಿಸಬಹುದು, ಎಂದರೆ:-

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(ಜೆ) ಮತದಾನಕ್ಕಾಗಿ ದಿನಾಂಕ, ಕಾಲ ಮತ್ತು ಸ್ಥಳ, ಮತ್ತು-

(i) ಪ್ರತಿಯೊಂದು ವಾರ್ಡ್ ಗೆ ಮತಗಟ್ಟೆಗಳನ್ನು ಗೊತ್ತುಪಡಿಸುವುದು;

(ii) ಮತಗಳನ್ನು ಚಲಾಯಿಸಲು ಮತಗಟ್ಟೆಯನ್ನು ತೆರೆದಿಡಬೇಕಾದ ವೇಳೆಗಳು;

(iii) ಮತಪತ್ರಗಳ ಮುದ್ರಣ ಮತ್ತು ನೀಡಿಕೆ;

(iv) ಮತದಾರರ ಪಟ್ಟಿಯನ್ನು ಪರಿಶೀಲಿಸಿ ಮತದಾರರನ್ನು ಪರೀಕ್ಷಿಸುವುದು;

(v) ಮತದಾರನ ಎಡಗೈ ತೋರುಬೆರಳಿನ ಅಥವಾ ಇತರ ಯಾವುದೇ ಬೆರಳಿನ ಅಥವಾ ಅವಯವದ ಮೇಲೆ ಅಳಿಸಲಾಗದ ಶಾಯಿಯಿಂದ ಗುರುತು ಮಾಡುವುದು ಮತ್ತು ಮತದಾರನಂತೆ ನಟಿಸುವುದನ್ನು ತಡೆಗಟ್ಟುವ ಹಾಗೆ, ಈಗಾಗಲೇ ಅಂಥ ಗುರುತು ಹೊಂದಿರುವಂಥ ವ್ಯಕ್ತಿಯು ಆ ಕಾಲದಲ್ಲಿ, ಅಂಥ ಮತ ಪತ್ರಕ್ಕಾಗಿ ಮನವಿ ಸಲ್ಲಿಸಿದರೆ, ಅಂಥ ಯಾರೇ ವ್ಯಕ್ತಿಗೆ ಯಾವುದೇ ಮತಪತ್ರ ಕೊಡುವುದನ್ನು ನಿಷೇಧಿಸುವುದು;

(vi) ಮತಗಳನ್ನು ಕೊಡಬೇಕಾದ ಮತ್ತು ವಿಶೇಷವಾಗಿ ಅನಕ್ಷರಸ್ಥ ಮತದಾರರು ಅಥವಾ ದೈಹಿಕ ಅಥವಾ ಇತರ ಅಸಾಮರ್ಥ್ಯ ಇರುವ ಮತದಾರರ ಸಂದರ್ಭದಲ್ಲಿ ಮತ ನೀಡಬೇಕಾದ ರೀತಿ;

(vii) ಮತಯಂತ್ರಗಳ ಮೂಲಕ ಮತಗಳನ್ನು ನೀಡುವ ಮತ್ತು ದಾಖಲಿಸುವ ರೀತಿ;

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ಕರ್ನಾಟಕ ನಗರಪಾಲಿಕೆಗಳ ಅಧಿನಿಯಮ, 1976ರ (1977ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 14) ಉದ್ಧೃತ ಭಾಗ

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55. ಚುನಾವಣೆಗಳ ನಿಯಂತ್ರಣ ಮತ್ತು ಕೌನ್ಸಿಲರುಗಳ ಚುನಾವಣೆಯನ್ನು ವಿನಿಯಮಿಸುವ ನಿಯಮಗಳನ್ನು ರಚಿಸಲು ಅಧಿಕಾರ :- Xx

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(2) (1)ನೇ ಉಪಪ್ರಕರಣಕ್ಕೆ ಒಳಪಟ್ಟು, ಸರ್ಕಾರವು ಈ ಅಧಿನಿಯಮದ ಮೇರೆಗೆ ಕೌನ್ಸಿಲರುಗಳ ಚುನಾವಣೆಗಳನ್ನು ನಡೆಸುವ ಉದ್ದೇಶಕ್ಕಾಗಿ ಈ ಕೆಳಕಂಡ ಎಲ್ಲ ಅಥವಾ ಯಾವುದೇ ವಿಷಯಗಳ ಬಗ್ಗೆ ಉಪಬಂಧಿಸಲು ಅಥವಾ ಅವುಗಳನ್ನು ನಿಯಂತ್ರಿಸಲು ನಿಯಮಗಳನ್ನು ರಚಿಸಬಹುದು, ಎಂದರೆ:-

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(ಹೆಚ್) ಮತದಾನಕ್ಕಾಗಿ ದಿನಾಂಕ, ಕಾಲ ಮತ್ತು ಸ್ಥಳ, ಮತ್ತು,-

(i) ಪ್ರತಿಯೊಂದು ವಾರ್ಡ್ ಗೆ ಮತಗಟ್ಟೆಗಳನ್ನು ಗೊತ್ತುಪಡಿಸುವುದು;

(ii) ಮತಗಳನ್ನು ಚಲಾಯಿಸಲು ಮತಗಟ್ಟೆಯನ್ನು ತೆರೆದಿಡಬೇಕಾದ ವೇಳೆಗಳು;

(iii) ಮತಪತ್ರಗಳ ಮುದ್ರಣ ಮತ್ತು ನೀಡಿಕೆ;

(iv) ಮತದಾರರ ಪಟ್ಟಿಯನ್ನು ಪರಿಶೀಲಿಸಿ ಮತದಾರರನ್ನು ಪರೀಕ್ಷಿಸುವುದು;

(v) ಮತದಾರನ ಎಡಗೈ ತೋರುಬೆರಳಿನ ಅಥವಾ ಇತರ ಯಾವುದೇ ಬೆರಳಿನ ಅಥವಾ ಅವಯವದ ಮೇಲೆ ಅಳಿಸಲಾಗದ ಶಾಯಿಯಿಂದ ಗುರುತು ಮಾಡುವುದು ಮತ್ತು ಮತದಾರನಂತೆ ನಟಿಸುವುದನ್ನು ತಡೆಗಟ್ಟುವ ಹಾಗೆ, ಈಗಾಗಲೇ ಅಂಥ ಗುರುತು ಹೊಂದಿರುವಂಥ ವ್ಯಕ್ತಿಯು ಆ ಕಾಲದಲ್ಲಿ, ಅಂಥ ಮತ ಪತ್ರಕ್ಕಾಗಿ ಮನವಿ ಸಲ್ಲಿಸಿದರೆ, ಅಂಥ ಯಾರೇ ವ್ಯಕ್ತಿಗೆ ಯಾವುದೇ ಮತಪತ್ರ ಕೊಡುವುದನ್ನು ನಿಷೇಧಿಸುವುದು;

(vi) ಮತಗಳನ್ನು ಕೊಡಬೇಕಾದ ಮತ್ತು ವಿಶೇಷವಾಗಿ ಅನಕ್ಷರಸ್ಥ ಮತದಾರರು ಅಥವಾ ದೈಹಿಕ ಅಥವಾ ಇತರ ಅಸಾಮರ್ಥ್ಯ ಇರುವ ಮತದಾರರ ಸಂದರ್ಭದಲ್ಲಿ ಮತ ನೀಡಬೇಕಾದ ರೀತಿ;

(vii) ಮತಯಂತ್ರಗಳ ಮೂಲಕ ಮತಗಳನ್ನು ನೀಡುವ ಮತ್ತು ದಾಖಲಿಸುವ ರೀತಿ;

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KARNATAKA LEGISLATIVE ASSEMBLY

FIFTEENTH LEGISLATIVE ASSEMBLY

SIXTH SESSION

THE KARNATAKA MUNICIPALITIES AND CERTAIN OTHER LAW

(AMENDMENT) BILL, 2020

(LA Bill No. 12 of 2020)

A Bill further to amend the Karnataka Municipalities Act, 1964 and the Karnataka Municipal Corporations Act, 1976.

Whereas it is expedient further to amend the Karnataka Municipalities Act, 1964 (Karnataka Act 22 of 1964), and the Karnataka Municipal Corporations Act, 1976 (Karnataka Act 14 of 1977) for the purposes hereinafter appearing;

Be it enacted by the Karnataka State Legislature in the seventy first year of the Republic of India as follows:-

1. Short title and commencement.-(1) This Act may be called the Karnataka Municipalities and Certain Other Law (Amendment) Act, 2020.

(2) It shall come into force at once.

2. Amendment of the Karnataka Act 22 of 1964.- In the Karnataka Municipalities Act, 1964 (Karnataka Act 22 of 1964), in section 38, in sub-section (2), in clause (j), after sub-clause (vi-a), the following shall be inserted, namely:-

“(vi -b) the manner of cast of vote by the qualified voter in favour of none of the above (NOTA) candidates contesting at the election, in case where he does not want to cast his vote in favour of any candidate;”

3. Amendment of the Karnataka Act 14 of 1977.- In the Karnataka Municipal Corporations Act, 1976 (Karnataka Act 14 of 1977), in section 55, in sub-section (2), clause (h), after sub-clause (vi-a), the following shall be inserted, namely:-

“(vi-b) the manner of cast of vote by the qualified voter in favour of none of the above (NOTA) candidates contesting at the election, in case where he does not want to cast his vote in favour of any candidate;”

STATEMENT OF OBJECTS AND REASONS

It is considered necessary to amend the Karnataka Municipalities Act, 1964 (Karnataka Act 22 of 1964) and the Karnataka Municipal Corporations Act, 1976 (Karnataka Act 14 of 1977) to give option to the voters in the ballot papers and electronic voting machine regarding the none of the above candidates contesting at the election.

Hence, the Bill.

FINANCIAL MEMORANDUM

There is no extra expenditure involved in the proposed Legislative measure.

B.S.YEDIYURAPPA

Chief Minister

M.K. Vishalakshi

Secretary (I/c)

Karnataka Legislative Assembly

ANNEXURE

THE EXTRACT FROM THE KARNATAKA MUNICIPALITIES ACT, 1964 (KARNATAKA ACT 22 OF 1964)

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38. Control of elections.-X X XX XX

(2) Subject to sub-section (1) Government may, by notification and after previous publication, make rules to provide for or to regulate all or any of the following matters for the purpose of holding elections of councilors under this Act, namely:—

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(j) the date, time and place for poll and other matters relating to the conduct of elections including,—

- (i) the appointment of polling stations for each ward
- (ii) the hours during which the polling station shall be kept open for the casting of votes;
- (iii) the printing and issue of ballot papers
- (iv) the checking of voters of reference to the electoral roll;
- (v) the marking with indelible ink on the left fore-finger or any other finger or limb of the voter and prohibition of the delivery of any ballot paper to any person if at the time such person applies for such paper he has already such mark so as to prevent personation of voters;

- (vi) the manner in which votes are to be given and in particular in the case of illiterate voters or of voters under physical or other disability;
 (via) the manner of giving and recording of votes by voting machines;

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THE EXTRACT FROM THE KARNATAKA MUNICIPAL CORPORATIONS ACT, 1976 (KARNATAKA ACT NO. 14 OF 1977)

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55. Control of elections and power to make rules regulating the election of councilors.-

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(2) Subject to sub-section (1) the Government may make rules to provide for or regulate all or any of the following matters for the purpose of holding elections of councilors under this Act, namely:-

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(h) the date, time and place for poll and other matters relating to the conduct of elections including,-

- (i) the appointment of polling stations for each ward
- (ii) the hours during which the polling station shall be kept open for the casting of votes,
- (iii) the printing and issue of ballot papers
- (iv) the checking of votes by reference by the electoral roll,
- (v) the marking with indelible ink of the left forefinger or any other finger or limb of the voter and prohibition of the delivery of any ballot paper to any person if at the time such person applies for such paper he has already such mark so as to prevent personation of voters,
- (vi) the manner in which votes are to be given and in particular in the case of illiterate voters or of voters under physical or other disability,
- (via) the manner of giving and recording of votes by voting machines;

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PR-110



ಕರ್ನಾಟಕ ವಿಧಾನ ಸಭೆ
 ಹದಿನೈದನೇ ವಿಧಾನಸಭೆ
 ಆರನೇ ಅಧಿವೇಶನ

No: KLA/LGA/13/Bill/2020, Bengaluru, Dated : 02.03.2020

The following Bill was introduced in Legislative Assembly on 02.03.2020

ಕರ್ನಾಟಕ ಬಹಿರಂಗ ಸ್ಥಳಗಳ (ವಿರೂಪಗೊಳಿಸುವುದನ್ನು ಪ್ರತಿಬಂಧಿಸುವ) (ತಿದ್ದುಪಡಿ) ವಿಧೇಯಕ, ೨೦೨೦
(೨೦೨೦ರ ವಿಧಾನಸಭೆಯ ವಿಧೇಯಕ ಸಂಖ್ಯೆ-೧೩)

ಕರ್ನಾಟಕ ಬಹಿರಂಗ ಸ್ಥಳಗಳ (ವಿರೂಪಗೊಳಿಸುವುದನ್ನು ಪ್ರತಿಬಂಧಿಸುವ) ಅಧಿನಿಯಮ, ೧೯೮೧ನ್ನು ಮತ್ತಷ್ಟು ತಿದ್ದುಪಡಿ ಮಾಡಲು ಒಂದು ವಿಧೇಯಕ.

ಇಲ್ಲಿ ಇನ್ನುಮುಂದೆ ಕಂಡುಬರುವ ಉದ್ದೇಶಗಳಿಗಾಗಿ ಕರ್ನಾಟಕ ಬಹಿರಂಗ ಸ್ಥಳಗಳ (ವಿರೂಪಗೊಳಿಸುವುದನ್ನು ಪ್ರತಿಬಂಧಿಸುವ) ಅಧಿನಿಯಮ, ೧೯೮೧ನ್ನು (೧೯೮೨ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ ೩೫) ಮತ್ತಷ್ಟು ತಿದ್ದುಪಡಿ ಮಾಡುವುದು ಯುಕ್ತವಾಗಿರುವುದರಿಂದ;

ಇದು ಭಾರತ ಗಣರಾಜ್ಯದ ಎಪ್ಪತ್ತೊಂದನೇ ವರ್ಷದಲ್ಲಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ವಿಧಾನಮಂಡಲದಿಂದ ಈ ಮುಂದಿನಂತೆ ಅಧಿನಿಯಮಿತವಾಗತಕ್ಕದ್ದು ಎಂದರೆ:-

೧. ಸಂಕ್ಷಿಪ್ತ ಹೆಸರು ಮತ್ತು ಪ್ರಾರಂಭ:- (೧) ಈ ಅಧಿನಿಯಮವನ್ನು ಕರ್ನಾಟಕ ಬಹಿರಂಗ ಸ್ಥಳಗಳ (ವಿರೂಪಗೊಳಿಸುವುದನ್ನು ಪ್ರತಿಬಂಧಿಸುವ) (ತಿದ್ದುಪಡಿ) ಅಧಿನಿಯಮ, ೨೦೨೦ ಎಂದು ಕರೆಯತಕ್ಕದ್ದು.

(೨) ಇದು ಈ ಕೂಡಲೇ ಜಾರಿಗೆ ಬರತಕ್ಕದ್ದು.

೨. ೧ನೇ ಪ್ರಕರಣದ ತಿದ್ದುಪಡಿ:- ಕರ್ನಾಟಕ ಬಹಿರಂಗ ಸ್ಥಳಗಳ (ವಿರೂಪಗೊಳಿಸುವುದನ್ನು ಪ್ರತಿಬಂಧಿಸುವ) ಅಧಿನಿಯಮ, ೧೯೮೧ರ (೧೯೮೨ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ ೩೫) ೧ನೇ ಪ್ರಕರಣದ (೨)ನೇ ಉಪಪ್ರಕರಣದಲ್ಲಿನ (i) ನೇ ಖಂಡದ ತರುವಾಯ ಈ ಮುಂದಿನದನ್ನು ಸೇರಿಸತಕ್ಕದ್ದು, ಎಂದರೆ:-

(i-ಎ) ರಾಜ್ಯ ಸರ್ಕಾರವು ಅಧಿಸೂಚಿಸಬಹುದಾದ ಅಂಥ ದಿನಾಂಕದಿಂದ ಮತ್ತು ಅಂಥ ನಗರಪಾಲಿಕೆ ಪ್ರದೇಶದೊಳಗೆ ಬರುವ ಯಾವುದೇ ಇತರ ಪ್ರದೇಶ ಅಥವಾ ಕರ್ನಾಟಕ ನಗರ ಪಾಲಿಕೆಗಳ ಅಧಿನಿಯಮ, ೧೯೭೬ರ (೧೯೭೭ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ ೧೪) ಅಡಿಯಲ್ಲಿ ಘೋಷಿತವಾದ ದೊಡ್ಡ ನಗರ ಪ್ರದೇಶ ಅಥವಾ ಬೆಂಗಳೂರು ಅಭಿವೃದ್ಧಿ ಪ್ರಾಧಿಕಾರ ಅಥವಾ ಯಾವುದೇ ಇತರ ನಗರಾಭಿವೃದ್ಧಿ ಪ್ರಾಧಿಕಾರ ಅಥವಾ ಪ್ರಸ್ತುತ ಜಾರಿಯಲ್ಲಿರುವ ಸಂಬಂಧಿತ ಕಾನೂನಿನ ಅಡಿಯಲ್ಲಿ ರಚನೆಯಾದ ಯಾವುದೇ ಇತರ ಸ್ಥಳೀಯ ಯೋಜನಾ ಪ್ರಾಧಿಕಾರದ ಅಡಿಯಲ್ಲಿ ಬರುವ ಪ್ರದೇಶಗಳಲ್ಲಿ ಜಾರಿಗೆ ಬರತಕ್ಕದ್ದು."

ಉದ್ದೇಶಗಳು ಮತ್ತು ಕಾರಣಗಳ ಹೇಳಿಕೆ

ಕರ್ನಾಟಕ ಬಹಿರಂಗ ಸ್ಥಳಗಳ (ವಿರೂಪಗೊಳಿಸುವುದನ್ನು ಪ್ರತಿಬಂಧಿಸುವ) ಅಧಿನಿಯಮ, ೧೯೮೧ರ (೧೯೮೨ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ ೩೫) ಉಪಬಂಧಗಳ ಅನ್ವಯಿಸುವಿಕೆಯನ್ನು ರಾಜ್ಯ ಸರ್ಕಾರವು ಅಧಿಸೂಚಿಸಬಹುದಾದ ಅಂಥ ದಿನಾಂಕದಿಂದ ಮತ್ತು ಕರ್ನಾಟಕ ನಗರ ಪಾಲಿಕೆಗಳ ಅಧಿನಿಯಮ, ೧೯೭೬ರ (೧೯೭೭ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ ೧೪) ಅಡಿಯಲ್ಲಿ ಘೋಷಿಸಿದ ಅಂಥ ನಗರ ಪಾಲಿಕೆ ಪ್ರದೇಶ ಅಥವಾ ದೊಡ್ಡನಗರ ಪ್ರದೇಶದೊಳಗೆ ಬರುವ ಯಾವುದೇ ಇತರ ಪ್ರದೇಶ ಅಥವಾ ಬೆಂಗಳೂರು ಅಭಿವೃದ್ಧಿ ಪ್ರಾಧಿಕಾರ ಅಥವಾ ಜಾರಿಯಲ್ಲಿರುವ ಸಂಬಂಧಿತ ಕಾನೂನಿನ ಅಡಿಯಲ್ಲಿ ರಚನೆಯಾದ, ಇತರ ನಗರಾಭಿವೃದ್ಧಿ ಪ್ರಾಧಿಕಾರ ಅಥವಾ ಯಾವುದೇ ಇತರ ಸ್ಥಳೀಯ ಯೋಜನಾ ಪ್ರಾಧಿಕಾರ ಇವುಗಳಿಗೆ ವಿಸ್ತರಿಸುವುದಕ್ಕಾಗಿ ಸದರಿ ಅಧಿನಿಯಮಕ್ಕೆ ತಿದ್ದುಪಡಿ ಮಾಡುವುದು ಅವಶ್ಯವೆಂದು ಪರಿಗಣಿಸಲಾಗಿದೆ.

ಆದ್ದರಿಂದ ಈ ವಿಧೇಯಕ.

ಆರ್ಥಿಕ ಜ್ಞಾಪನ ಪತ್ರ

ಪ್ರಸ್ತಾವಿತ ಶಾಸನಾತ್ಮಕ ಕ್ರಮವು ಯಾವುದೇ ಹೆಚ್ಚಿನ ಆರ್ಥಿಕ ವೆಚ್ಚವನ್ನು ಒಳಗೊಂಡಿರುವುದಿಲ್ಲ.

ಬಿ. ಎಸ್. ಯಡಿಯೂರಪ್ಪ
ಮುಖ್ಯಮಂತ್ರಿ

ಎಂ.ಕೆ. ವಿಶಾಲಾಕ್ಷಿ
ಕಾರ್ಯದರ್ಶಿ (ಪ್ರ)
ಕರ್ನಾಟಕ ವಿಧಾನ ಸಭೆ

ಅನುಬಂಧ

ಕರ್ನಾಟಕ ಬಹಿರಂಗ ಸ್ಥಳಗಳ (ವಿರೂಪಗೊಳಿಸುವುದನ್ನು ಪ್ರತಿಬಂಧಿಸುವ) ಅಧಿನಿಯಮ, 1981ರ (1982ರ ಕರ್ನಾಟಕ
ಅಧಿನಿಯಮ 35) ಉದ್ಧೃತ ಭಾಗ

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1. ಸಂಕ್ಷಿಪ್ತ ಹೆಸರು ಮತ್ತು ಪ್ರಾರಂಭ.- (1) ಈ ಅಧಿನಿಯಮವನ್ನು ಕರ್ನಾಟಕ ಬಹಿರಂಗ ಸ್ಥಳಗಳ
(ವಿರೂಪಗೊಳಿಸುವುದನ್ನು ಪ್ರತಿಬಂಧಿಸುವ) ಅಧಿನಿಯಮ, 1981 ಎಂದು ಕರೆಯತಕ್ಕದ್ದು.

(2) ಇದು,-

(i) ಕರ್ನಾಟಕ ನಗರ ಪಾಲಿಕೆಗಳ ಅಧಿನಿಯಮ, 1976 ಅಥವಾ ಯಾವುದೇ ಇತರ ಕಾನೂನಿನ ಮೇರೆಗೆ
ರಚಿತವಾದ ಅಥವಾ ಮುಂದುವರಿಸಲಾದ, ಬೆಂಗಳೂರು, ಮೈಸೂರು, ಹುಬ್ಬಳ್ಳಿ-ಧಾರವಾಡ, ಮಂಗಳೂರು ಮತ್ತು ಬೆಳಗಾವಿ
ನಗರಗಳಲ್ಲಿ 1981ರ ಮೇ ಐದನೇ ದಿನದಂದು ಜಾರಿಗೆ ಬಂದಿರುವುದಾಗಿ ಭಾವಿಸತಕ್ಕದ್ದು.

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KARNATAKA LEGISLATIVE ASSEMBLY

FIFTEENTH LEGISLATIVE ASSEMBLY

SIXTH SESSION

THE KARNATAKA OPEN PLACES (PREVENTION OF DISFIGUREMENT)

(AMENDMENT) BILL, 2020

(LA Bill No. 13 of 2020)

A Bill further to amend the Karnataka Open Places (Prevention of Disfigurement) Act, 1981.

Whereas it is expedient further to amend the Karnataka Open Places (Prevention of Disfigurement) Act, 1981 (Karnataka Act 35 of 1982) for the purposes hereinafter appearing;

Be it enacted by the Karnataka State Legislature in the seventy first year of the Republic of India as follows, namely:-

1. Short title and commencement.- (1) This Act may be called the Karnataka Open Places (Prevention of Disfigurement) (Amendment) Act, 2020.

(2) It shall come into force at once.

2. Amendment of section 1.- In the Karnataka Open Places (Prevention of Disfigurement) Act, 1981 (Karnataka Act 35 of 1982), in section 1, in sub-section (2), after clause (i), the following shall be inserted, namely:-

"(i-a) come in to force in any other area falling within municipal corporation area or Larger urban area declared under the Karnataka Municipal Corporations Act, 1976 (Karnataka Act 14 of 1977) or areas falling under the Bangalore Development Authority or any other Urban Development Authority or any other Local Planning Authority constituted under relevant Law in force from such date as may be notified by the State Government."

STATEMENT OF OBJECTS AND REASONS

It is considered necessary to amend the Karnataka Open Places (Prevention of Disfigurement) Act, 1981 (Karnataka Act 35 of 1982) to extend the applicability of provisions of the said Act to any other area falling within municipal corporation area or Larger urban area declared under the Karnataka Municipal Corporations Act, 1976 (Karnataka Act 14 of 1977) or areas falling under the Bangalore Development Authority or any other Urban Development Authority or any other Local Planning Authority constituted under relevant Law in force from such date as may be notified by the State Government.

Hence, the Bill.

FINANCIAL MEMORANDUM

There is no extra expenditure involved in the proposed legislative measure.

B.S.YEDIYURAPPA
Chief Minister

M.K. Vishalakshi
Secretary (I/c)
Karnataka Legislative Assembly

ANNEXURE

**EXTRACT FROM THE KARNATAKA OPEN PLACES (PREVENTION OF
DISFIGUREMENT) ACT, 1981 (KARNATAKA ACT 35 OF 1982)**

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1. Short title and commencement.- (1) This Act may be called the Karnataka Open Places (Prevention of Disfigurement) Act, 1981.

(2) It shall,-

(i) be deemed to have come into force in the cities of Bangalore, Mysore, Hubli-Dharwar, Mangalore and Belgaum constituted or continued under the Karnataka Municipal Corporations Act, 1976 or under any other law, on the fifth day of May 1981;

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PR-111



ಕರ್ನಾಟಕ ವಿಧಾನಸಭೆ
ಹದಿನೈದನೇ ವಿಧಾನಸಭೆ
ಆರನೇ ಅಧಿವೇಶನ

No: KLA/LGA/14/Bill/2020, Bengaluru, Dated : 02.03.2020

The following Bill was introduced in Legislative Assembly on 02.03.2020

ಕರ್ನಾಟಕ ರೇಸ್‌ಕೋರ್ಸ್‌ಗಳಿಗೆ ಪರವಾನಗಿ ನೀಡುವ (ತಿದ್ದುಪಡಿ) ವಿಧೇಯಕ, 2020

(2020ರ ವಿಧಾನಸಭೆಯ ವಿಧೇಯಕ ಸಂಖ್ಯೆ-14)

ಕರ್ನಾಟಕ ರೇಸ್ ಕೋರ್ಸ್‌ಗಳಿಗೆ ಪರವಾನಗಿ ನೀಡುವ ಅಧಿನಿಯಮ, 1952ನ್ನು ಮತ್ತಷ್ಟು ತಿದ್ದುಪಡಿ ಮಾಡಲು ಒಂದು ವಿಧೇಯಕ.

ಇಲ್ಲಿ ಇನ್ನುಮುಂದೆ ಕಂಡುಬರುವ ಉದ್ದೇಶಗಳಿಗಾಗಿ ಕರ್ನಾಟಕ ರೇಸ್ ಕೋರ್ಸ್‌ಗಳಿಗೆ ಪರವಾನಗಿ ನೀಡುವ ಅಧಿನಿಯಮ, 1952ನ್ನು (1952ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ VIII) ಮತ್ತಷ್ಟು ತಿದ್ದುಪಡಿ ಮಾಡುವುದು ಯುಕ್ತವಾಗಿರುವುದರಿಂದ;

ಇದು, ಭಾರತ ಗಣರಾಜ್ಯದ ಎಪ್ಪತ್ತೊಂದನೇ ವರ್ಷದಲ್ಲಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ವಿಧಾನಮಂಡಲದಿಂದ ಈ ಮುಂದಿನಂತೆ ಅಧಿನಿಯಮಿತವಾಗಲಿ, ಎಂದರೆ:-

1. ಸಂಕ್ಷಿಪ್ತ ಹೆಸರು ಮತ್ತು ಪ್ರಾರಂಭ.- (1) ಈ ಅಧಿನಿಯಮವನ್ನು ಕರ್ನಾಟಕ ರೇಸ್‌ಕೋರ್ಸುಗಳಿಗೆ ಪರವಾನಗಿ ನೀಡುವ (ತಿದ್ದುಪಡಿ) ಅಧಿನಿಯಮ, 2020 ಎಂದು ಕರೆಯತಕ್ಕದ್ದು.

(2) ಇದು ಈ ಕೂಡಲೇ ಜಾರಿಗೆ ಬರತಕ್ಕದ್ದು.

2. 4ನೇ ಪ್ರಕರಣದ ತಿದ್ದುಪಡಿ.- ಕರ್ನಾಟಕ ರೇಸ್ ಕೋರ್ಸುಗಳಿಗೆ ಪರವಾನಗಿ ನೀಡುವ ಅಧಿನಿಯಮ, 1952ರ (1952ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ VIII) (ಇಲ್ಲಿ ಇನ್ನುಮುಂದೆ ಮೂಲ ಅಧಿನಿಯಮವೆಂದು ಉಲ್ಲೇಖಿಸಲಾಗಿದೆ) 4ನೇ ಪ್ರಕರಣದಲ್ಲಿ "ಸರ್ಕಾರ" ಎಂಬ ಪದ ಬರುವೆಡೆಗಳಲ್ಲೆಲ್ಲಾ ಆ ಪದದ ತರುವಾಯ "ಅಥವಾ ಸರ್ಕಾರವು ಅಧಿಕೃತಗೊಳಿಸಿದ ಅಧಿಕಾರಿ" ಎಂಬ ಪದಗಳನ್ನು ಅವುಗಳ ಪ್ರತ್ಯಯಗಳೊಂದಿಗೆ ಸೇರಿಸತಕ್ಕದ್ದು.

3. 5ನೇ ಪ್ರಕರಣದ ತಿದ್ದುಪಡಿ.- ಮೂಲ ಅಧಿನಿಯಮದ 5ನೇ ಪ್ರಕರಣದಲ್ಲಿ "ಐದು ನೂರು ರೂಪಾಯಿಗಳಿಗೆ" ಎಂಬ ಪದಗಳಿಗೆ "ಐವತ್ತು ಸಾವಿರ ರೂಪಾಯಿಗಳಿಗೆ" ಎಂಬ ಪದಗಳನ್ನು ಪ್ರತಿಯೋಜಿಸತಕ್ಕದ್ದು.

4. 6ನೇ ಪ್ರಕರಣದ ತಿದ್ದುಪಡಿ.- ಮೂಲ ಅಧಿನಿಯಮದ 6ನೇ ಪ್ರಕರಣದಲ್ಲಿ "ಒಂದು ಸಾವಿರ ರೂಪಾಯಿಗಳಿಗೆ" ಎಂಬ ಪದಗಳಿಗೆ "ಒಂದು ಲಕ್ಷ ರೂಪಾಯಿಗಳಿಗೆ" ಎಂಬ ಪದಗಳನ್ನು ಪ್ರತಿಯೋಜಿಸತಕ್ಕದ್ದು.

5. 7ನೇ ಪ್ರಕರಣದ ತಿದ್ದುಪಡಿ.- ಮೂಲ ಅಧಿನಿಯಮದ 7ನೇ ಪ್ರಕರಣದಲ್ಲಿ,-

(i) (1)ನೇ ಉಪಪ್ರಕರಣದಲ್ಲಿ,-

(ಎ) "ಸರ್ಕಾರವು" ಎಂಬ ಪದದ ತರುವಾಯ "ಅಥವಾ ಸರ್ಕಾರವು ಅಧಿಕೃತಗೊಳಿಸುವ ಅಧಿಕಾರಿಯು" ಎಂಬ ಪದಗಳನ್ನು ಸೇರಿಸತಕ್ಕದ್ದು; ಮತ್ತು

(ಬಿ) "ಒಂದು ಸಾವಿರ ರೂಪಾಯಿಗಳಿಗೆ" ಎಂಬ ಪದಗಳಿಗೆ "ಒಂದು ಲಕ್ಷ ರೂಪಾಯಿಗಳಿಗೆ" ಎಂಬ ಪದಗಳನ್ನು ಪ್ರತಿಯೋಜಿಸತಕ್ಕದ್ದು.

(ii) (2)ನೇ ಉಪಪ್ರಕರಣದಲ್ಲಿ,-

(ಎ) "ಸರ್ಕಾರವು" ಎಂಬ ಪದದ ತರುವಾಯ "ಅಥವಾ ಸರ್ಕಾರವು ಅಧಿಕೃತಗೊಳಿಸುವ ಅಧಿಕಾರಿಯು" ಎಂಬ ಪದಗಳನ್ನು ಸೇರಿಸತಕ್ಕದ್ದು; ಮತ್ತು

(ಬಿ) "ಒಂದು ಸಾವಿರ ರೂಪಾಯಿಗಳಿಗೆ" ಎಂಬ ಪದಗಳಿಗೆ "ಒಂದು ಲಕ್ಷ ರೂಪಾಯಿಗಳಿಗೆ" ಎಂಬ ಪದಗಳನ್ನು ಪ್ರತಿಯೋಜಿಸತಕ್ಕದ್ದು.

6. 8ನೇ ಪ್ರಕರಣದ ತಿದ್ದುಪಡಿ.- ಮೂಲ ಅಧಿನಿಯಮದ 8ನೇ ಪ್ರಕರಣದಲ್ಲಿ "ಸರ್ಕಾರದ" ಎಂಬ ಪದದ ತರುವಾಯ "ಅಥವಾ ಸರ್ಕಾರವು ಅಧಿಕೃತಗೊಳಿಸುವ ಅಧಿಕಾರಿಯು" ಎಂಬ ಪದಗಳನ್ನು ಸೇರಿಸತಕ್ಕದ್ದು.

7. 9ನೇ ಪ್ರಕರಣದ ತಿದ್ದುಪಡಿ.- ಮೂಲ ಅಧಿನಿಯಮದ 9ನೇ ಪ್ರಕರಣದ (1)ನೇ ಉಪಪ್ರಕರಣದಲ್ಲಿ "ಸರ್ಕಾರದ" ಎಂಬ ಪದದ ತರುವಾಯ "ಅಥವಾ ಸರ್ಕಾರವು ಅಧಿಕೃತಗೊಳಿಸುವ ಅಧಿಕಾರಿಯು" ಎಂಬ ಪದಗಳನ್ನು ಸೇರಿಸತಕ್ಕದ್ದು.

ಉದ್ದೇಶಗಳು ಮತ್ತು ಕಾರಣಗಳ ಹೇಳಿಕೆ

ಕುದುರೆ ರೇಸಿಂಗ್‌ನ ಪರವಾನಗಿ ನೀಡುವಿಕೆ, ನಿಯಂತ್ರಣ ಮತ್ತು ವ್ಯವಸ್ಥಾಪನೆಯನ್ನು ಉತ್ತಮವಾಗಿ ನಿರ್ವಹಿಸುವ ಹಿತದೃಷ್ಟಿಯಲ್ಲಿ ಸರ್ಕಾರವು ಅಧಿಕೃತಗೊಳಿಸುವ ಅಧಿಕಾರಿಗೆ ಅಧಿಕಾರಗಳನ್ನು ಪ್ರತ್ಯಾಯೋಜಿಸಲು ಹಾಗೂ ಪ್ರಸ್ತುತ ಹಣ ಮೌಲ್ಯಕ್ಕೆ ಸಮಾನವಾಗಿ ದಂಡನೆಯ ಮೊತ್ತವನ್ನು ಹೆಚ್ಚಿಸಲು ಉಪಬಂಧ ಕಲ್ಪಿಸುವುದಕ್ಕೆ ಕರ್ನಾಟಕ ರೇಸ್‌ಕೋರ್ಸುಗಳ ಪರವಾನಗಿ ನೀಡುವ ಅಧಿನಿಯಮ, 1952ನ್ನು (1952ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ VIII) ತಿದ್ದುಪಡಿ ಮಾಡುವುದು ಅವಶ್ಯಕವೆಂದು ಪರಿಗಣಿಸಿದೆ.

ಆದ್ದರಿಂದ ಈ ವಿಧೇಯಕ.

ಆರ್ಥಿಕ ಜ್ಞಾಪನ ಪತ್ರ

ಪ್ರಸ್ತಾವಿತ ತಿದ್ದುಪಡಿಯು ಯಾವುದೇ ಹೆಚ್ಚಿನ ವೆಚ್ಚವನ್ನು ಒಳಗೊಂಡಿರುವುದಿಲ್ಲ.

ಬಿ. ಎಸ್. ಯಡಿಯೂರಪ್ಪ
ಮುಖ್ಯಮಂತ್ರಿ

ಎಂ.ಕೆ. ವಿಶಾಲಾಕ್ಷಿ
ಕಾರ್ಯದರ್ಶಿ (ಪ್ರ)
ಕರ್ನಾಟಕ ವಿಧಾನ ಸಭೆ

ಅನುಬಂಧ

ಮೈಸೂರು ರೇಸ್ ಕೋರ್ಸ್‌ಗಳ ಪರವಾನಗಿ ನೀಡುವ ಅಧಿನಿಯಮ, 1952ರ

(1952 ಮೈಸೂರು ಅಧಿನಿಯಮ VIII) ಉದ್ಘಾತ ಭಾಗ

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4. ಕುದುರೆ ರೇಸ್‌ಗಳಿಗೆ ಪರವಾನಗಿಗಳು.- (1) ಯಾವುದೇ ರೇಸ್‌ಕೋರ್ಸ್‌ನ ಮಾಲೀಕ, ಗುತ್ತಿಗೆದಾರ ಅಥವಾ ಅಧಿಭೋಗದಾರನು ಅಂಥ ರೇಸ್‌ಕೋರ್ಸ್‌ ಮೇಲೆ ಕುದುರೆ ರೇಸ್‌ಗಾಗಿ ಅಥವಾ ರಾಜ್ಯದೊಳಗಾಗಲೀ ಅಥವಾ ರಾಜ್ಯದ ಹೊರಗಡೆಯಾಗಲೀ ಯಾವುದೇ ಇತರ ರೇಸ್‌ಕೋರ್ಸ್‌ ಮೇಲೆ ಕುದುರೆ ರೇಸ್‌ ರನ್ ಮೇಲೆ ಅಂಥ ರೇಸ್‌ಕೋರ್ಸ್‌ನಲ್ಲಿ ಬಾಜಿಕಟ್ಟುವುದನ್ನು ಅಥವಾ ಜೂಜುಕಟ್ಟುವುದನ್ನು ಏರ್ಪಡಿಸುವುದಕ್ಕಾಗಿ ಪರವಾನಗಿ ಪಡೆಯಲು ಸರ್ಕಾರಕ್ಕೆ ಅರ್ಜಿ ಸಲ್ಲಿಸಬಹುದು.

(2) ಸರ್ಕಾರವು ಅಂಥ ಷರತ್ತುಗಳಿಗೆ ಒಳಪಟ್ಟು ಮತ್ತು ತಾನು ಸೂಕ್ತವೆಂದು ಭಾವಿಸಬಹುದಾದ ಅಂಥ ಅವಧಿಗಾಗಿ ಅಂಥ ಪರವಾನಗಿಯನ್ನು ತಡೆಹಿಡಿಯಬಹುದು ಅಥವಾ ಅದನ್ನು ಮಂಜೂರು ಮಾಡಬಹುದು.

(3) ನಿರ್ದಿಷ್ಟವಾಗಿ ಅಥವಾ ಹಿಂದೆ ಹೇಳಿದ ಅಧಿಕಾರದ ಸಾಮಾನ್ಯಾನ್ವಯಕ್ಕೆ ಬಾಧಕವಾಗದಂತೆ, ಅಂಥ ಷರತ್ತುಗಳು ಈ ಮುಂದಿನವುಗಳಿಗಾಗಿ ಉಪಬಂಧ ಕಲ್ಪಿಸಬಹುದು,-

ಎ) ಪರವಾನಗಿ ಶುಲ್ಕದ ಸಂದಾಯ;

ಬಿ) ಬಾಜಿ ತೆರಿಗೆ ಅಧಿನಿಯಮ, 1932ರ ಮೂಲಕ ಅಗತ್ಯಪಡಿಸಲಾದ ಅಂಥ ಲೆಕ್ಕಪತ್ರಗಳನ್ನು ನಿರ್ವಹಿಸುವುದು ಮತ್ತು ಅಂಥ ವಿವರಪಟ್ಟಿಕೆಗಳನ್ನು ಸಲ್ಲಿಸುವುದು;

ಸಿ) ವಿವಿಧ ತಳಿಗಳ ಕುದುರೆಗಳಿಗಾಗಿ ಹಂಚಿಕೆ ಮಾಡಬಹುದಾದ ಬಾಜಿ ಕಟ್ಟಿದ ಮೊತ್ತ;

ಡಿ) ಜಾಕಿಗಳಾಗಬೇಕೆಂಬ ವ್ಯಕ್ತಿಗಳ ತರಬೇತಿಗಾಗಿ ತೆಗೆದುಕೊಳ್ಳಬೇಕಾದ ಕ್ರಮಗಳು;

ಇ) ಭಾರತೀಯ ಸಂಜಾತ ಕುದುರೆಗಳ ಮತ್ತು ಭಾರತೀಯ ಜಾಕಿಗಳನ್ನು ಪ್ರೋತ್ಸಾಹಿಸಲು ಕೈಗೊಳ್ಳಬೇಕಾದ ಕ್ರಮಗಳು;

ಎಫ್) ಕುದುರೆ-ರೇಸಿಂಗ್ ಅನ್ನು ನಡೆಸುವಲ್ಲಿ ಮತ್ತು ನಿರ್ವಹಿಸುವಲ್ಲಿ ಮೇಲ್ವಿಚಾರಕ ಅಥವಾ ಸದಸ್ಯರನ್ನಾಗಿ ಸರ್ಕಾರವು ನಾಮನಿರ್ದೇಶಿಸಬಹುದಾದ ಅಂಥ ವ್ಯಕ್ತಿಗಳನ್ನು ಸೇರಿಸಿಕೊಳ್ಳುವುದು ಅಥವಾ ಸಂಯೋಜಿಸಿಕೊಳ್ಳುವುದು;

ಜಿ) ಕುದುರೆ-ರೇಸ್‌ನ್ನು ನಡೆಸುವಲ್ಲಿ ಮತ್ತು ನಿರ್ವಹಿಸುವಲ್ಲಿ ಪರವಾನಗಿದಾರನು ಸಂಗ್ರಹಿಸಿದ ಮೊತ್ತದ ಬಳಕೆ;

ಎಚ್) ಸರ್ಕಾರವು ತನ್ನ ಅಭಿಪ್ರಾಯದಲ್ಲಿ, ಪರವಾನಗಿಯಲ್ಲಿ ಉಪಬಂಧವನ್ನು ಮಾಡುವುದು ಅವಶ್ಯಕ ಅಥವಾ ಯುಕ್ತವೆಂದು ಅಭಿಪ್ರಾಯಪಟ್ಟಲ್ಲಿ ಕುದುರೆ ರೇಸ್ ಮತ್ತು ರೇಸ್‌ಕೋರ್ಸ್‌ನ ನಿರ್ವಹಣೆಗೆ ಸಂಬಂಧಿಸಿದ ಅಂಥ ಇತರ ವಿಷಯಗಳು.

(4) ಸರ್ಕಾರವು, ಅಂಥ ಪರವಾನಗಿಯ ಮೂಲಕ, ಪರವಾನಗಿದಾರನಿಗೆ, ಅಂಥ ಪರವಾನಗಿಯಲ್ಲಿ ಸರ್ಕಾರವು ನಿರ್ದಿಷ್ಟಪಡಿಸಬಹುದಾದ ಅಂಥ ಷರತ್ತುಗಳಿಗೆ ಒಳಪಟ್ಟು, ಪರವಾನಗಿದಾರನು ಸೂಕ್ತವೆಂದು ಭಾವಿಸಬಹುದಾದಂತೆ ಪರವಾನಗಿದಾರನಿಗೆ ಪರವಾನಗಿಯನ್ನು ಮಂಜೂರು ಮಾಡಿದ್ದ ಅವಧಿಗೆ ಮೀರದ ಅಂಥ ಅವಧಿಗಾಗಿ ಯಾವುದೇ ಬುಕ್-ಮೇಕರ್‌ನಿಗೆ ಪರ್ಮಿಟ್ ಅನ್ನು ಮಂಜೂರು ಮಾಡಲು ಅಧಿಕೃತಗೊಳಿಸಬಹುದು.

(5) ಸರ್ಕಾರವು, ಯಾವುದೇ ಸಮಯದಲ್ಲಿ, ಯಾವುದೇ ಪರವಾನಗಿ ಅಥವಾ ಪರ್ಮಿಟ್‌ನಲ್ಲಿ ನಿರ್ದಿಷ್ಟಪಡಿಸಿದ ಯಾವುದೇ ಷರತ್ತುಗಳನ್ನು ಅಮಾನತ್ತುಗೊಳಿಸಬಹುದು, ರದ್ದುಗೊಳಿಸಬಹುದು ಅಥವಾ ಮಾರ್ಪಡಿಸಬಹುದು.

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5. ಪರವಾನಗಿ ಹೊಂದಿಲ್ಲದ ರೇಸ್-ಕೋರ್ಸ್‌ನ ಮೇಲೆ ಕುದುರೆ ರೇಸ್‌ನಲ್ಲಿ ಭಾಗವಹಿಸಿದ್ದಕ್ಕಾಗಿ ದಂಡ.- ಪರವಾನಗಿಯನ್ನು ಮಂಜೂರು ಮಾಡಿಲ್ಲದ ಅಥವಾ 4ನೇ ಪ್ರಕರಣದ ಉಪಬಂಧಗಳಿಗೆ ಅನುಸಾರವಾಗಿ ಮಂಜೂರಾದ ಪರವಾನಗಿ ಜಾರಿಯಲ್ಲಿ ಇಲ್ಲದ ಯಾವುದೇ ರೇಸ್‌ಕೋರ್ಸ್‌ನ ಮೇಲೆ ಯಾವುದೇ ಕುದುರೆ ರೇಸ್‌ನಲ್ಲಿ ಭಾಗವಹಿಸಿದ ಯಾರೊಬ್ಬನು ಐದು ನೂರು ರೂಪಾಯಿಗಳಿಗೆ ವಿಸ್ತರಿಸಬಹುದಾದ ಜುಲ್ಮಾನೆಯೊಂದಿಗೆ ದಂಡಿತನಾಗತಕ್ಕದ್ದು.

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6. ಪರವಾನಗಿ ಇಲ್ಲದ ರೇಸ್‌ಕೋರ್ಸ್ ಮೇಲೆ ರೇಸಿಂಗ್ ಅನ್ನು ಅನುಮತಿಸುವ ಮಾಲೀಕ ಮುಂತಾದವರಿಗೆ ದಂಡ.- ಪರವಾನಗಿಯನ್ನು ಮಂಜೂರು ಮಾಡಿಲ್ಲದ ಅಥವಾ ಮಂಜೂರು ಮಾಡಿದ ಪರವಾನಗಿ ಜಾರಿಯಲ್ಲಿಲ್ಲದೇ ಇರುವಾಗ, ಅಂಥ ರೇಸ್‌ಕೋರ್ಸ್‌ನ ಮಾಲೀಕ, ಗುತ್ತಿಗೆದಾರ ಅಥವಾ ಅಧಿಬೋಗದಾರನು, ಒಂದು ಸಾವಿರ ರೂಪಾಯಿಗಳಿಗೆ ವಿಸ್ತರಿಸಬಹುದಾದ ಜುಲ್ಮಾನೆಯೊಂದಿಗೆ ದಂಡಿತನಾಗತಕ್ಕದ್ದು.

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7. ಪರವಾನಗಿ ಷರತ್ತುಗಳನ್ನು ಉಲ್ಲಂಘಿಸಿದ್ದಕ್ಕಾಗಿ ದಂಡ.- (1) ಪರವಾನಗಿ ಮಂಜೂರಾದ ಯಾವೊಬ್ಬ ವ್ಯಕ್ತಿಯು ಯಾವ ಷರತ್ತುಗಳಿಗೆ ಒಳಪಟ್ಟು ಅಂಥ ಪರವಾನಗಿಯನ್ನು ಮಾಡಲಾಗಿದೆಯೋ ಆ ಯಾವುದೇ ಷರತ್ತುಗಳನ್ನು ಉಲ್ಲಂಘಿಸಿದಲ್ಲಿ, ಅಂಥ ವ್ಯಕ್ತಿಯು, 4ನೇ ಪ್ರಕರಣದ (5)ನೇ ಉಪಪ್ರಕರಣದ ಅಡಿಯಲ್ಲಿ ಸರ್ಕಾರವು ತೆಗೆದುಕೊಳ್ಳಬಹುದಾದ ಯಾವುದೇ ಕ್ರಮಕ್ಕೆ ಬಾಧಕವಾಗದಂತೆ ಒಂದು ಸಾವಿರ ರೂಪಾಯಿಗಳಿಗೆ ವಿಸ್ತರಿಸಬಹುದಾದ ಜುಲ್ಮಾನೆಯೊಂದಿಗೆ ದಂಡಿತನಾಗತಕ್ಕದ್ದು.

(2) ಪರವಾನಗಿದಾರನ ಮೂಲಕ ಪರ್ಮಿಟ್‌ನ್ನು ಮಂಜೂರು ಮಾಡಲ್ಪಟ್ಟ ಮತ್ತು ಅಂಥ ಪರ್ಮಿಟ್‌ನ್ನು ಯಾವ ಷರತ್ತುಗಳಿಗೆ ಒಳಪಟ್ಟು ಮಂಜೂರು ಮಾಡಲಾಗಿದೆಯೋ ಅವುಗಳನ್ನು ಯಾವೊಬ್ಬ ವ್ಯಕ್ತಿಯು ಉಲ್ಲಂಘಿಸಿದಲ್ಲಿ ಆತನು 4ನೇ ಪ್ರಕರಣದ (5)ನೇ ಉಪಪ್ರಕರಣದ ಅಡಿಯಲ್ಲಿ ಸರ್ಕಾರವು ತೆಗೆದುಕೊಳ್ಳಬಹುದಾದ ಯಾವುದೇ ಕ್ರಮಕ್ಕೆ ಬಾಧಕವಾಗದಂತೆ ಒಂದು ಸಾವಿರ ರೂಪಾಯಿಗಳಿಗೆ ವಿಸ್ತರಿಸಬಹುದಾದ ಜುಲ್ಮಾನೆಯೊಂದಿಗೆ ದಂಡಿತನಾಗತಕ್ಕದ್ದು.

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8. ಆದೇಶಗಳ ಉಳಿಸುವಿಕೆ.- ಪರವಾನಗಿಯನ್ನು ಮಂಜೂರು ಮಾಡುವುದು, ತಿರಸ್ಕರಿಸುವುದು ಅಥವಾ ರದ್ದುಮಾಡುವುದು ಮತ್ತು ಪರವಾನಗಿ ಅಥವಾ ಪರ್ಮಿಟ್‌ಅನ್ನು ಯಾವ ಷರತ್ತುಗಳಿಗೆ ಒಳಪಟ್ಟು ಮಂಜೂರು

ಮಾಡಲಾಗಿದೆಯೋ ಆ ಷರತ್ತುಗಳು ಸರ್ಕಾರದ ವಿವೇಚನೆಗನುಸಾರವಾಗಿರತಕ್ಕದ್ದು ಮತ್ತು ಯಾವುದೇ ನ್ಯಾಯಾಲಯದಲ್ಲಿ ಪ್ರಶ್ನಿಸುವುದಕ್ಕೆ ಹೊಣೆಯಾಗಿರತಕ್ಕದ್ದಲ್ಲ.

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9. ಅಧಿನಿಯಮದ ಅಡಿಯಲ್ಲಿ ಅಪರಾಧಗಳು ಸಂಜ್ಞೆಯವಾಗಿರುವುದು.- (1) ಪ್ರಥಮ ದರ್ಜೆ ಮ್ಯಾಜೀಸ್ಟ್ರೇಟ್‌ಗೆ ಕಡಿಮೆಯಲ್ಲದ ಯಾವುದೇ ನ್ಯಾಯಾಲಯದಲ್ಲಿ ಈ ಅಧಿನಿಯಮದ ಅಡಿಯಲ್ಲಿನ ಯಾವುದೇ ಅಪರಾಧವನ್ನು ತಿರ್ಮಾನ ಮಾಡತಕ್ಕದ್ದಲ್ಲ ಮತ್ತು ಸರ್ಕಾರದ ಪೂರ್ವ ಮಂಜೂರಾತಿಯ ಹೊರತು ಈ ಅಧಿನಿಯಮದ ಅಡಿಯಲ್ಲಿ ಯಾವ ವ್ಯಕ್ತಿಯನ್ನು ಅಭಿಯೋಜನೆಗೆ ಒಳಪಡಿಸತಕ್ಕದ್ದಲ್ಲ.

(2) ಈ ಅಧಿನಿಯಮದ ಅಡಿಯಲ್ಲಿನ ಎಲ್ಲಾ ಅಪರಾಧಗಳನ್ನು ರಾಜಿ ಮಾಡಿಕೊಳ್ಳಬಹುದು.

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KARNATAKA LEGISLATIVE ASSEMBLY

FIFTEENTH LEGISLATIVE ASSEMBLY

SIXTH SESSION

THE KARNATAKA RACE COURSES LICENSING (AMENDMENT) BILL, 2020
(LA Bill No. 14 of 2020)

A Bill further to amend the Karnataka Race Courses Licensing Act, 1952.

Whereas it is expedient further to amend the Karnataka Race Courses Licensing Act, 1952 (Karnataka Act VIII of 1952) for the purposes hereinafter appearing;

Be it enacted by the Karnataka State Legislature in the Seventy first year of the Republic of India as follows:-

1. Short title and commencement.- (1) This Act may be called the Karnataka Race Courses Licensing (Amendment) Act, 2020.

(2) It shall come into force at once.

2. Amendment of sections 4.- In the Karnataka Race Courses Licensing Act, 1952 (Karnataka Act VIII of 1952) (hereinafter referred to as the Principal Act), in section 4, after the word "Government", wherever it occurs, the words "or the officer authorised by the Government" shall be inserted.

3. Amendment of section 5.- In section 5 of the Principal Act, for the words “five hundred rupees”, the words “fifty thousand rupees” shall be substituted.

4. Amendment of section 6.- In section 6 of the Principal Act, for the words “one thousand rupees”, the words “one lakh rupees” shall be substituted.

5. Amendment of section 7.- In section 7 of the Principal Act,-

(i) in sub-section (1),-

- (a) after the word “Government”, the words “or the officer authorised by the Government” shall be inserted; and
- (b) for the words “one thousand rupees”, the words “one lakh rupees” shall be substituted;

(ii) in sub-section (2),-

- (a) after the word “Government”, the words “or the officer authorised by the Government” shall be inserted; and
- (b) for the word “one thousand rupees”, the words “one lakh rupees” shall be substituted.

6. Amendment of section 8 – In section 8 of the Principal Act, after the word “Government”, the words “or the officer authorised by the Government” shall be inserted.

7. Amendment of section 9 – In section 9 of the Principal Act in sub-section (1) after the word “Government”, the words “or the officer authorised by the Government” shall be inserted.

STATEMENT OF OBJECTS AND REASONS

It is considered necessary to amend the Karnataka Race Courses Licensing Act, 1952 (Karnataka Act VIII of 1952) to make provision to delegate powers to the officer authorised by the Government in the interest of better management of licensing, control and management of horse racing and to enhance the penalty amount on par with the present money value.

Hence the Bill.

FINANCIAL MEMORANDUM

There is no extra expenditure involved in the proposed legislative measure.

B.S.YEDIYURAPPA

Chief Minister

M.K. Vishalakshi

Secretary (I/c)

Karnataka Legislative Assembly

ANNEXURE

**EXTRACT FROM THE MYSORE RACE COURSES LICENSING ACT,
1952**

(Mysore Act VII of 1952)

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4. Licenses for horse - racing.- (1) The owner, lessee or occupier of any race course may apply to the Government for a license for horse racing on such race course 1 {or for arranging for wagering or betting in such race course on a horse race run on some other race course either within the State or outside the State.}

(2) The Government may withhold such licence or grant it subject to such conditions and for such period as they may think fit.

(3) In particular and without prejudice to the generality of the foregoing power, such conditions may provide for.-

- a) the payment of a licence fee;
- b) the maintenance of such accounts and furnishing of such returns as are required by the Betting Tax Act, 1932;
- c) the amount of stakes which may be allotted for different kinds of horses;
- d) the measures to be taken for the training of persons to become Jockeys;
- e) the measures to be taken to encourage Indian bred horses and Indian Jockeys;

- f) the inclusion or association of such persons as the Government may nominate as Stewards or members in the conduct and management of horse-racing;
- g) the utilisation of the amount collected by the licensee in the conduct and management of horse-racing
- h) such other matters connected with horse-racing and the maintenance of the race course for which, in the opinion of the Government, it is necessary or expedient to make provision in the licence.

(4) The Government may, by such licence, authorise the licensee to grant, subject to such conditions as may be specified by the Government in such licence, a permit to any book-maker for such period not exceeding the period of the licence granted to the licensee as the licensee may think fit.

(5) The Government may, at any time, suspend, cancel, or modify any of the conditions specified in, any licence or permit.

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5. Penalty for taking part in horse race on unlicensed race-course.-

whoever takes part in any horse race on any race course for which no license is granted or for which a license granted in accordance with the provisions of section 4 is not in force, shall be punishable with fine which may extend to five hundred rupees.

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6. Penalty for owner, etc, allowing racing on unlicensed race.- has not been granted or for which a license granted is not in force, any person being the owner, lessee or occupier of such race-course, shall be punishable with fine which may extend one thousand rupees.

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7. Penalty for contravening conditions of license.-(1) if any person to whom a licence has been granted contravenes any of the conditions subject to which such license was granted, such person shall, without prejudice to any action that may be taken by the Government under sub-section(5) of section 4, be punishable with fine which may extend to one thousand rupees.

(2) if any person to whom a permit has been granted by a licensee contravenes and of the conditions subject to which such permit was granted, he shall, without prejudice to any action that may be taken by the Government under sub-section (5) of section 4, be punishable with fine which may extend to one thousand rupees.

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8. Saving of orders.- the granting, refusing or cancellation of a license and the conditions subject to which a license or permit is granted shall be within the discretion of the Government and shall not be liable to be called in question in any court.

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9. cognizance of offences under the Act,- (1) No court inferior to that of a Magistrate of the First Class, shall try any offence under this Act and no person shall be prosecuted under this Act except with the previous sanction of the Government.

(2) All offences under this Act shall be compoundable.

PR-112



ಕರ್ನಾಟಕ ವಿಧಾನಸಭೆ
ಹದಿನೈದನೇ ವಿಧಾನಸಭೆ
ಆರನೇ ಅಧಿವೇಶನ

No: KLA/LGA/15/Bill/2020, Bengaluru, Dated : 02.03.2020

The following Bill was introduced in Legislative Assembly on 02.03.2020

ಕರ್ನಾಟಕ ಭೂ ಸುಧಾರಣೆಗಳ (ತಿದ್ದುಪಡಿ) ವಿಧೇಯಕ, 2020

(2020ರ ವಿಧಾನಸಭೆಯ ವಿಧೇಯಕ ಸಂಖ್ಯೆ-15)

ಕರ್ನಾಟಕ ಭೂ ಸುಧಾರಣೆಗಳ ಅಧಿನಿಯಮ, 1961ನ್ನು ಮತ್ತಷ್ಟು ತಿದ್ದುಪಡಿ ಮಾಡಲು ಒಂದು ವಿಧೇಯಕ.

ಇಲ್ಲಿ ಇನ್ನುಮುಂದೆ ಕಂಡುಬರುವ ಉದ್ದೇಶಗಳಿಗಾಗಿ, ಕರ್ನಾಟಕ ಭೂ ಸುಧಾರಣೆಗಳ ಅಧಿನಿಯಮ, 1961ನ್ನು (1962ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 10) ಮತ್ತಷ್ಟು ತಿದ್ದುಪಡಿ ಮಾಡುವುದು ಯುಕ್ತವಾಗಿರುವುದರಿಂದ;

ಇದು ಭಾರತ ಗಣರಾಜ್ಯದ ಎಪ್ಪತ್ತೊಂದನೇ ವರ್ಷದಲ್ಲಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ವಿಧಾನಮಂಡಲದಿಂದ ಈ ಮುಂದಿನಂತೆ ಅಧಿನಿಯಮಿತವಾಗಲಿ, ಎಂದರೆ:-

1. ಸಂಕ್ಷಿಪ್ತ ಹೆಸರು ಮತ್ತು ಪ್ರಾರಂಭ.- (1) ಈ ಅಧಿನಿಯಮವನ್ನು ಕರ್ನಾಟಕ ಭೂ ಸುಧಾರಣೆಗಳ (ತಿದ್ದುಪಡಿ) ಅಧಿನಿಯಮ, 2020 ಎಂದು ಕರೆಯತಕ್ಕದ್ದು.

(2) ಇದು 2019ರ ನವೆಂಬರ್ 20ರಂದು ಜಾರಿಗೆ ಬಂದಿರುವುದಾಗಿ ಭಾವಿಸತಕ್ಕದ್ದು.

2. 109ನೇ ಪ್ರಕರಣದ ತಿದ್ದುಪಡಿ.- ಕರ್ನಾಟಕ ಭೂ ಸುಧಾರಣೆಗಳ ಅಧಿನಿಯಮ, 1961ರಲ್ಲಿ (1962ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 10) (ಇಲ್ಲಿ ಇನ್ನುಮುಂದೆ ಮೂಲ ಅಧಿನಿಯಮವೆಂದು ಉಲ್ಲೇಖಿಸಲಾಗಿದೆ) 109ನೇ ಪ್ರಕರಣದಲ್ಲಿ,-

(1) (1)ನೇ ಉಪಪ್ರಕರಣದ (i)ನೇ ಖಂಡಕ್ಕೆ ಈ ಮುಂದಿನದನ್ನು ಪ್ರತಿಯೋಜಿಸತಕ್ಕದ್ದು, ಎಂದರೆ:-

“(i) ನಲವತ್ತು ಘಟಕಗಳಿಗಿಂತ ಹೆಚ್ಚಿಲ್ಲದ ವಿಸ್ತೀರ್ಣದ ಭೂಮಿಯನ್ನು ಕೈಗಾರಿಕಾ ಅಭಿವೃದ್ಧಿಗಾಗಿ;

ವಿವರಣೆ.- “ಕೈಗಾರಿಕಾ ಅಭಿವೃದ್ಧಿ”ಯು ಸಣ್ಣ ಖನಿಜಗಳ ಗಣಿಗಾರಿಕೆ, ಅದನ್ನು ನಿರ್ದಿಷ್ಟಪಡಿಸಿರಲಿ ಅಥವಾ ನಿರ್ದಿಷ್ಟಪಡಿಸದಿರಲಿ ಮತ್ತು ಕರ್ನಾಟಕ ಕಲ್ಲುಪುಡಿ ಮಾಡುವ ಘಟಕಗಳ (ಕ್ರಷರ್‌ಗಳ) ನಿಯಂತ್ರಣ ಅಧಿನಿಯಮ, 2011ರ (2012ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 8) ಅಡಿಯಲ್ಲಿನ ಕಲ್ಲುಪುಡಿ ಮಾಡುವ ಚಟುವಟಿಕೆಯನ್ನು ಒಳಗೊಳ್ಳುತ್ತದೆ.

ಪರಂತು, ಕೈಗಾರಿಕಾ ಅಭಿವೃದ್ಧಿಯ ಸಂಬಂಧದಲ್ಲಿ, ಕರ್ನಾಟಕ ಕೈಗಾರಿಕೆಗಳ (ಸೌಲಭ್ಯ) ಅಧಿನಿಯಮ, 2002ರ (2003ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 45) ಅಡಿಯಲ್ಲಿ ರಚಿಸಲಾದ ರಾಜ್ಯ ಉನ್ನತ ಮಟ್ಟದ ಒಪ್ಪಿಗೆ ನೀಡಿಕೆ ಸಮಿತಿ ಅಥವಾ ರಾಜ್ಯ ಮಟ್ಟದ ಏಕಗವಾಕ್ಷಿ ಒಪ್ಪಿಗೆ ನೀಡಿಕೆ ಸಮಿತಿಯ ಅನುಮೋದನೆಯೊಂದಿಗೆ ಸರ್ಕಾರವು ಅನುಮೋದಿಸಿದ ಅಂಥ ಭೂಮಿಯನ್ನು ಅಂಥ ವ್ಯಾಪ್ತಿಯವರೆಗೆ, 63, 79ಎ, 79ಬಿ ಅಥವಾ 80ನೇ ಪ್ರಕರಣಗಳ ಉಪಬಂಧಗಳಿಂದ ಸರ್ಕಾರವು ವಿನಾಯಿತಿಗೊಳಿಸಿದ ಎಂಬುದಾಗಿ ಭಾವಿಸತಕ್ಕದ್ದು.”

(2) (2)ನೇ ಉಪಪ್ರಕರಣದ ಪರಂತುಕಕ್ಕೆ ಈ ಮುಂದಿನದನ್ನು ಪ್ರತಿಯೋಜಿಸತಕ್ಕದ್ದು, ಎಂದರೆ:-

“ಪರಂತು (1)ನೇ ಉಪಪ್ರಕರಣದ ಅಡಿಯಲ್ಲಿ ಅನುಮತಿಯನ್ನು ಪಡೆದ ತರುವಾಯ ಯಾವುದೇ ಕಂಪನಿ ಅಥವಾ ಸಂಸ್ಥೆಯು ಭೂಮಿಯನ್ನು ಖರೀದಿಸಿ ಮತ್ತು ಖರೀದಿಯ ಉದ್ದೇಶಕ್ಕಾಗಿ ಏಳು ವರ್ಷಗಳಿಗೆ ಕಡಿಮೆಯಲ್ಲದಂತೆ ಭೂಮಿಯನ್ನು ಬಳಸಿದ ತರುವಾಯ, ಅಂಥ ಕಂಪನಿ ಅಥವಾ ಸಂಸ್ಥೆಯು ಅದರ ಹತೋಟಿಯಲ್ಲಿರದ ಹಲವಾರು ಕಾರಣಗಳಿಗಾಗಿ ಭೂಮಿಯ ಬಳಕೆಯನ್ನು ಮುಂದುವರೆಸದೇ ಇದ್ದಲ್ಲಿ, ನಿಯಮಗಳ ಅಡಿಯಲ್ಲಿ ಹಾಗೆ ಅನುಮತಿಸಿದ ಅಂಥ ಖರೀದಿಯ ದಿನಾಂಕದಿಂದ ಏಳು ವರ್ಷಗಳ ತರುವಾಯ, ಅರ್ಜಿಯನ್ನು ಸಲ್ಲಿಸಿ, ಸರ್ಕಾರವು ಅನುಮತಿಸಿದ ಮೇರೆಗೆ ಅದೇ ಉದ್ದೇಶಕ್ಕಾಗಿ ಭೂಮಿಯನ್ನು ಮಾರಾಟ ಮಾಡಬಹುದು.”

3. ನಿರಸನ ಮತ್ತು ಉಳಿಸುವಿಕೆಗಳು.- (1) ಕರ್ನಾಟಕ ಭೂ ಸುಧಾರಣೆಗಳ (ತಿದ್ದುಪಡಿ) ಅಧ್ಯಾದೇಶ, 2019ನ್ನು (2019ರ ಕರ್ನಾಟಕ ಅಧ್ಯಾದೇಶ 3) ಈ ಮೂಲಕ ನಿರಸನಗೊಳಿಸಿದೆ.

(2) ಹಾಗೆ ನಿರಸನಗೊಳಿಸಿದ್ದಾಗ್ಯೂ, ಸದರಿ ಅಧ್ಯಾದೇಶದ ಮೂಲಕ ತಿದ್ದುಪಡಿಗೊಳಿಸಿದಂತೆ ಮಾಡಲಾದ ಯಾವುದೇ ಕಾರ್ಯ ಅಥವಾ ಕೈಗೊಳ್ಳಲಾದ ಯಾವುದೇ ಕ್ರಮವನ್ನು ಈ ಅಧಿನಿಯಮದ ಮೂಲಕ ಮೂಲ ಅಧಿನಿಯಮದ ಅಡಿಯಲ್ಲಿ ಮಾಡಲಾಗಿದೆ ಅಥವಾ ಕೈಗೊಳ್ಳಲಾಗಿದೆ ಎಂದು ಭಾವಿಸತಕ್ಕದ್ದು.

ಉದ್ದೇಶಗಳು ಮತ್ತು ಕಾರಣಗಳ ಹೇಳಿಕೆ

ಕರ್ನಾಟಕ ಭೂ ಸುಧಾರಣಾ ಅಧಿನಿಯಮ, 1961ನ್ನು (1962ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 10) ಈ ಮುಂದಿನವುಗಳಿಗೆ ಉಪಬಂಧ ಕಲ್ಪಿಸುವುದಕ್ಕಾಗಿ ತಿದ್ದುಪಡಿ ಮಾಡುವುದು ಅವಶ್ಯವೆಂದು ಪರಿಗಣಿಸಲಾಗಿದೆ, ಎಂದರೆ:-

- (i) ಕರ್ನಾಟಕ ಕೈಗಾರಿಕೆಗಳ (ಸೌಲಭ್ಯ) ಅಧಿನಿಯಮ, 2002ರ ಅಡಿಯಲ್ಲಿನ ರಾಜ್ಯ ಉನ್ನತ ಮಟ್ಟದ ಒಪ್ಪಿಗೆ ನೀಡಿಕೆ ಸಮಿತಿ ಅಥವಾ ರಾಜ್ಯ ಮಟ್ಟದ ಏಕಗವಾಕ್ಷಿ ಒಪ್ಪಿಗೆ ನೀಡಿಕೆ ಸಮಿತಿಯ ಅನುಮೋದನೆಯ ವ್ಯಾಪ್ತಿಯವರೆಗೆ ಕೈಗಾರಿಕಾ ಉದ್ದೇಶಕ್ಕಾಗಿ ಭೂಮಿಯ ಖರೀದಿಸಲು ಭಾವಿತ ವಿನಾಯಿತಿಯನ್ನು ನೀಡಲು;
- (ii) 109ನೇ ಪ್ರಕರಣದ ಅಡಿಯಲ್ಲಿ ವಿನಾಯಿತಿಯನ್ನು ಪಡೆದ ಭೂಮಿಯನ್ನು, ಯಾವ ಉದ್ದೇಶಕ್ಕಾಗಿ ಅಂಥ ಭೂಮಿಯನ್ನು ಬಳಸಬಹುದು ಎಂದು ಅನುಮತಿಸಲಾಗಿದೆಯೋ ಆ ಉದ್ದೇಶಕ್ಕಾಗಿ ಏಳು ವರ್ಷಗಳ ಅವಧಿಗಾಗಿ ಬಳಸಿದ ತರುವಾಯ ಆರ್ಥಿಕ ಮುಗ್ಗಟ್ಟನ್ನು ನಿಭಾಯಿಸುವುದಕ್ಕಾಗಿ ಹಿಂದೆ ಅನುಮತಿಸಲಾದ ಅದೇ ಉದ್ದೇಶಕ್ಕಾಗಿ ಇತರ ಕಂಪನಿ ಅಥವಾ ಸಂಸ್ಥೆಗೆ ಮಾರಾಟ ಮಾಡಲು ಅನುಮತಿಯನ್ನು ನೀಡಲು.

ವಿಷಯವು ತುರ್ತು ಸ್ವರೂಪದ್ದಾಗಿದ್ದರಿಂದ ಹಾಗೂ ಕರ್ನಾಟಕ ವಿಧಾನಮಂಡಲದ ಉಭಯ ಸದನಗಳು ಅಧಿವೇಶನದಲ್ಲಿಲ್ಲದಿದ್ದರಿಂದ ಕರ್ನಾಟಕ ಭೂ ಸುಧಾರಣೆಗಳ ಅಧ್ಯಾದೇಶ, 2019ನ್ನು (2019ರ ಕರ್ನಾಟಕ ಅಧ್ಯಾದೇಶ 3) ದಿನಾಂಕ 20.11.2019ರಂದು ಪ್ರಖ್ಯಾಪಿಸಲಾಗಿತ್ತು.

ಸದರಿ ಅಧ್ಯಾದೇಶಕ್ಕೆ ಬದಲಾಗಿ ಈ ವಿಧೇಯಕವನ್ನು ಮಂಡಿಸಲಾಗಿದೆ.

ಆದ್ದರಿಂದ ಈ ವಿಧೇಯಕ.

ಆರ್ಥಿಕ ಜ್ಞಾಪನ ಪತ್ರ

ಪ್ರಸ್ತಾವಿತ ಶಾಸನಾತ್ಮಕ ಕ್ರಮವು ಯಾವುದೇ ಹೆಚ್ಚಿನ ವೆಚ್ಚವನ್ನು ಒಳಗೊಂಡಿರುವುದಿಲ್ಲ.

ಆರ್. ಅಶೋಕ್
ಕಂದಾಯ ಮಂತ್ರಿ

ಎಂ.ಕೆ. ವಿಶಾಲಾಕ್ಷಿ
ಕಾರ್ಯದರ್ಶಿ (ಪ್ರ)
ಕರ್ನಾಟಕ ವಿಧಾನ ಸಭೆ

ಕರ್ನಾಟಕ ವಿಧಾನಸಭೆಯ ಕಾರ್ಯವಿಧಾನ ಮತ್ತು ನಡವಳಿಕೆಗಳ 80ನೇ ನಿಯಮದ (1)ನೇ ಉಪನಿಯಮದ ಮೂಲಕ
ಅಗತ್ಯಪಡಿಸಲಾದಂತೆ ವಿವರಣಾತ್ಮಕ ಹೇಳಿಕೆ

ಕರ್ನಾಟಕ ಭೂ ಸುಧಾರಣಾ ಅಧಿನಿಯಮ, 1961ನ್ನು (1962ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 10) ಈ
ಮುಂದಿನವುಗಳಿಗೆ ಉಪಬಂಧ ಕಲ್ಪಿಸುವುದಕ್ಕಾಗಿ ತಿದ್ದುಪಡಿ ಮಾಡುವುದು ಅವಶ್ಯವೆಂದು ಪರಿಗಣಿಸಲಾಗಿದೆ, ಎಂದರೆ:-

- (i) ಕರ್ನಾಟಕ ಕೈಗಾರಿಕೆಗಳ (ಸೌಲಭ್ಯ) ಅಧಿನಿಯಮ, 2002ರ ಅಡಿಯಲ್ಲಿನ ರಾಜ್ಯ ಉನ್ನತ ಮಟ್ಟದ ಒಪ್ಪಿಗೆ ನೀಡಿಕೆ ಸಮಿತಿ ಅಥವಾ ರಾಜ್ಯ ಮಟ್ಟದ ಏಕಗವಾಕ್ಷಿ ಒಪ್ಪಿಗೆ ನೀಡಿಕೆ ಸಮಿತಿಯ ಅನುಮೋದನೆಯ ವ್ಯಾಪ್ತಿಯವರೆಗೆ ಕೈಗಾರಿಕಾ ಉದ್ದೇಶಕ್ಕಾಗಿ ಭೂಮಿಯ ಖರೀದಿಸಲು ಭಾವಿತ ವಿನಾಯಿತಿಯನ್ನು ನೀಡಲು;
- (ii) 109ನೇ ಪ್ರಕರಣದ ಅಡಿಯಲ್ಲಿ ವಿನಾಯಿತಿಯನ್ನು ಪಡೆದ ಭೂಮಿಯನ್ನು, ಯಾವ ಉದ್ದೇಶಕ್ಕಾಗಿ ಅಂಥ ಭೂಮಿಯನ್ನು ಬಳಸಬಹುದು ಎಂದು ಅನುಮತಿಸಲಾಗಿದೆಯೋ ಆ ಉದ್ದೇಶಕ್ಕಾಗಿ ಏಳು ವರ್ಷಗಳ ಅವಧಿಗಾಗಿ ಬಳಸಿದ ತರುವಾಯ ಆರ್ಥಿಕ ಮುಗ್ಗಟ್ಟನ್ನು ನಿಭಾಯಿಸುವುದಕ್ಕಾಗಿ ಹಿಂದೆ ಅನುಮತಿಸಲಾದ ಅದೇ ಉದ್ದೇಶಕ್ಕಾಗಿ ಇತರ ಕಂಪನಿ ಅಥವಾ ಸಂಸ್ಥೆಗೆ ಮಾರಾಟ ಮಾಡಲು ಅನುಮತಿಯನ್ನು ನೀಡಲು.

ವಿಷಯವು ತುರ್ತು ಸ್ವರೂಪದ್ದಾಗಿದ್ದರಿಂದ ಹಾಗೂ ಕರ್ನಾಟಕ ವಿಧಾನಸಭೆ ಮತ್ತು ವಿಧಾನ ಪರಿಷತ್ತು ಅಧಿವೇಶನದಲ್ಲಿಲ್ಲದಿದ್ದರಿಂದ, ಮೇಲಿನ ಉದ್ದೇಶವನ್ನು ಸಾಧಿಸುವುದಕ್ಕಾಗಿ, ಕರ್ನಾಟಕ ಭೂ ಸುಧಾರಣೆಗಳ ಅಧ್ಯಾದೇಶ, 2019ನ್ನು (2019ರ ಕರ್ನಾಟಕ ಅಧ್ಯಾದೇಶ 3) ಪ್ರಖ್ಯಾಪಿಸಲಾಗಿತ್ತು.

ಅನುಬಂಧ

ಕರ್ನಾಟಕ ಭೂ ಸುಧಾರಣೆಗಳ ಅಧಿನಿಯಮ, 1961ರ (1962ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 10)

ಉದ್ಘಾತ ಭಾಗ

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109. ಕೆಲವು ಭೂಮಿಗಳಿಗೆ ಕೆಲವು ಉಪಬಂಧಗಳಿಂದ ವಿನಾಯಿತಿ.- (1) ನಿಯಮಿಸಬಹುದಾದಂಥ ನಿಯಮಗಳಿಗೆ ಹಾಗೂ ಕರ್ನಾಟಕ ನಗರ ಮತ್ತು ಗ್ರಾಮೀಣ ಯೋಜನಾ ಅಧಿನಿಯಮ, 1961ರ (1963ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 11) ಉಪಬಂಧಗಳಿಗೆ ಒಳಪಟ್ಟು, ರಾಜ್ಯ ಸರ್ಕಾರವು, ಅಧಿಸೂಚನೆಯ ಮೂಲಕ,-

(i) ನಲವತ್ತು ಘಟಕಗಳಿಗಿಂತ ಹೆಚ್ಚಿಲ್ಲದ ವಿಸ್ತೀರ್ಣದ ಭೂಮಿಯನ್ನು ಕೈಗಾರಿಕಾ ಅಭಿವೃದ್ಧಿಗಾಗಿ;

ವಿವರಣೆ.- "ಕೈಗಾರಿಕಾ ಅಭಿವೃದ್ಧಿ"ಯು ಸಣ್ಣ ಖನಿಜಗಳ ಗಣಿಗಾರಿಕೆ, ಅದನ್ನು ನಿರ್ದಿಷ್ಟಪಡಿಸಿರಲಿ ಅಥವಾ ನಿರ್ದಿಷ್ಟಪಡಿಸದಿರಲಿ ಮತ್ತು ಕರ್ನಾಟಕ ಕಲ್ಲುಪುಡಿ ಮಾಡುವ ಘಟಕಗಳ (ಕ್ರಷರ್‌ಗಳ) ನಿಯಂತ್ರಣ ಅಧಿನಿಯಮ, 2011ರ (2012ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 8) ಅಡಿಯಲ್ಲಿನ ಕಲ್ಲುಪುಡಿ ಮಾಡುವ ಚಟುವಟಿಕೆಯನ್ನು ಒಳಗೊಳ್ಳುತ್ತದೆ.

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(2) ಉಪಪ್ರಕರಣ (1)ರ ಮೇರೆಗೆ ನಿರ್ದಿಷ್ಟಪಡಿಸಿದ ಯಾವುದೇ ಷರತ್ತನ್ನು ಅಥವಾ ನಿರ್ಬಂಧವನ್ನು ಉಲ್ಲಂಘಿಸಿದರೆ ರಾಜ್ಯ ಸರ್ಕಾರವು ಅಥವಾ ಸಂದರ್ಭಾನುಸಾರ ಜಿಲ್ಲಾಧಿಕಾರಿಯವರು ಅದು ಅಥವಾ ಅವರು ಸೂಕ್ತವೆಂದು ಭಾವಿಸುವಂಥ ವಿಚಾರಣೆಯನ್ನು ನಡೆಸಿದ ಮೇಲೆ ಆ ಉಪಪ್ರಕರಣದ ಮೇರೆಗೆ ನೀಡಿರುವ ವಿನಾಯಿತಿಯನ್ನು ರದ್ದುಪಡಿಸಬಹುದು ಮತ್ತು ಯಾವ ಭೂಮಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ವಿನಾಯಿತಿಯನ್ನು ಹಾಗೆ ರದ್ದುಪಡಿಸಲಾಗಿದೆಯೋ ಆ ಭೂಮಿಯನ್ನು ದಂಡವನ್ನಾಗಿ ಮುಟ್ಟುಗೋಲು ಹಾಕಿಕೊಳ್ಳತಕ್ಕದ್ದು ಮತ್ತು ಅದು ಎಲ್ಲಾ ಖುಣಭಾರಗಳಿಂದ ಮುಕ್ತವಾಗಿ ರಾಜ್ಯ ಸರ್ಕಾರದಲ್ಲಿ ನಿಹಿತವಾಗತಕ್ಕದ್ದು, ಆ ಭೂಮಿಗೆ ಯಾವುದೇ ಹಣವನ್ನು ಸಂದಾಯಮಾಡಬೇಕಾಗಿಲ್ಲ.

ಪರಂತು, ಯೋಜನೆಯ ವಿಸ್ತರಣೆಯ ಉದ್ದೇಶಕ್ಕಾಗಿ ಅಥವಾ ಆರ್ಥಿಕ ಮುಗ್ಗಟ್ಟನ್ನು ನಿಭಾಯಿಸುವುದಕ್ಕಾಗಿ ಅಥವಾ ಭೂಮಿಯ ಬಳಕೆಯನ್ನು ಬದಲಾಯಿಸುವುದಕ್ಕಾಗಿ ಯಾವುದೇ ಕಂಪನಿ ಅಥವಾ ಸಂಸ್ಥೆಯು, 109ನೇ ಪ್ರಕರಣದ ಅಡಿಯಲ್ಲಿ ಅನುಮತಿಯನ್ನು ಪಡೆದ ದಿನಾಂಕದಿಂದ ಏಳು ವರ್ಷಗಳ ಅವಧಿಯ ತರುವಾಯ ಅರ್ಜಿಯನ್ನು ಸಲ್ಲಿಸಿದಾಗ, ಅದನ್ನು ಸರ್ಕಾರದ ಮುಖ್ಯ ಕಾರ್ಯದರ್ಶಿಯವರು ಮುಖ್ಯಸ್ಥರಾಗಿರುವ ಉನ್ನತಾಧಿಕಾರ ಸಮಿತಿಯು, ಸಂದರ್ಭಾನುಸಾರ ಪ್ರಕರಣದ ಆಧಾರದ ಮೇಲೆ ಯುಕ್ತವೆಂದು ಭಾವಿಸಲಾದ ಷರತ್ತುಗಳಿಗೊಳಪಟ್ಟು ಪರಿಗಣಿಸತಕ್ಕದ್ದು.

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KARNATAKA LEGISLATIVE ASSEMBLY

FIFTEENTH LEGISLATIVE ASSEMBLY

SIXTH SESSION

THE KARNATAKA LAND REFORMS (AMENDMENT) BILL, 2020
(LA Bill No. 15 of 2020)

A Bill further to amend the Karnataka Land Reforms Act, 1961.

Whereas it is expedient to amend the Karnataka Land Reforms Act, 1961 (Karnataka Act 10 of 1962), for the purposes hereinafter appearing;

Be it enacted by the Karnataka State Legislature in the Seventy first year of the Republic of India, as follows:-

1. Short title and commencement.-(1) This Act may be called the Karnataka Land Reforms (Amendment) Act, 2020.

(2) It shall be deemed to have come into force with effect from 20th November 2019.

2. Amendment of section 109.- In the Karnataka Land Reforms Act, 1961 (Karnataka Act 10 of 1962), (hereinafter referred to as principal Act) in section 109,-

(1) in sub-section(1), for clause (i), the following shall be substituted, namely:-

"(i) industrial development, the extent of which shall not exceed forty units;

Explanation.-Industrial development" includes mining of minor minerals, whether specified or non-specified and stone crushing activity under the Karnataka Regulation of Stone Crushers Act, 2011 (Karnataka Act 8 of 2012)

Provided that in respect of Industrial development, such Land to such extent approved by the Government with approval of the State High level clearance committee or the State level single window clearance committee constituted under the Karnataka Industries (facilitation) Act, 2002 (Karnataka Act 45 of 2003) shall be deemed to have exempted by the Government from the provisions of section 63, 79A, 79B or 80."

(2) In sub-section (2), for the proviso, the following shall be substituted, namely:-

“Provided that, any company or organization after obtaining permission under sub-section (1), purchases the land and if such company or organization after utilizing the land for not less than seven years for the purpose of purchase, does not continue to use the land due to various reasons which are beyond its control, after seven years so permitted under rules from the date of such purchase, may on an application be permitted, by the Government, for sale of the land for the same purpose.”

3. Repeal and savings.-(1)The Karnataka Land Reforms (Amendment) Ordinance, 2019(Karnataka Ordinance 3 of 2019) is hereby repealed.

(2) Notwithstanding such repeal anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under principal Act, as amended by this Act.

STATEMENT OF OBJECTS AND REASONS

It is considered necessary to amend the Karnataka Land Reforms Act, 1961 (Karnataka Act 10 of 1962) to provide for,-

(i) deemed exemption to purchase Land for Industrial purpose to the extent approved by the State High Level Clearance Committee or the State Level Single Window Clearance Committee under the Karnataka Industrial (Facilitation) Act, 2002.

(ii) permission for sale of the lands exempted under section 109 after utilizing such land for the period of seven years for the purpose for which it was permitted to tide over the financial crisis to other company or organization for the same purpose to which it was permitted earlier.

As the matter was urgent and both houses of the Karnataka state legislature were not in a session, the Karnataka Land Reforms (Amendment) Ordinance 2019 (Karnataka Ordinance 3 of 2019) was promulgated on 20.11.2019

This Bill seeks to replace the said Ordinance.

Hence the Bill.

FINANCIAL MEMORANDUM

There is no extra expenditure involved in the proposed Legislative measure.

R. ASHOKA

Minister for Revenue

M.K. Vishalakshi

Secretary (I/c)

Karnataka Legislative Assembly

Explanatory Statement as required by sub-rule (1) of rule 80 of the Rules of procedure and conduct of Business in the Karnataka Legislative Assembly.

It is considered necessary to amend the Karnataka Land Reforms Act, 1961 (Karnataka Act 10 of 1962), to provide for,-

(i) deemed exemption to purchase Land for Industrial purpose to the extent approved by the State High Level Clearance Committee or the State Level Single Window Clearance Committee under the Karnataka Industrial (Facilitation) Act, 2002.

(ii) permission for sale of the lands exempted under section 109 after utilizing such land for the period of seven years for the purpose for which it was permitted to tide over the financial crisis to other company or organization for the same purpose to which it was permitted earlier.

Since the matter was urgent and the Karnataka Legislative Assembly and the Karnataka Legislative Council were not in session, the Karnataka Land Reforms (Amendment) Ordinance, 2019 (Karnataka ordinance 3 of 2019) was promulgated to achieve the above object.

ANNEXURE

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109. Certain lands to be exempt from certain provisions.—(1) Subject to such rules as may be prescribed and the provisions of the Karnataka Town and Country Planning Act, 1961 (Karnataka Act 11 of 1963), the State Government may, by notification, exempt, any land in any area from the provisions of sections 63, 79A, 79B or 80 to be used for,—

(i) industrial development, the extent of which shall not exceed forty units

Explanation.- "Industrial development" includes mining of minor minerals, whether specified or non-specified and stone crushing activity 1962: KAR. ACT 10] Land Reforms 115 under the Karnataka Regulation of Stone Crushers Act, 2011 (Karnataka Act 8 of 2012)

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(2) Where any condition or restriction specified in the notification under sub-section (1), has been contravened, the State Government or as the case may be, the Deputy Commissioner may after holding an enquiry as it or he deems fit, cancel the exemption granted under that sub-section and the land in respect of which such cancellation has been made, shall, as penalty be forfeited to and vest in the State Government free from all encumbrances. No amount is payable therefore.

Provided that, any of the Company or Organization, after a period of seven years from the date of obtaining permission under section 109, for the purpose of expansion of project or to tide over the financial crisis or for changing of land usages, submit application, which shall be considered by the High Power Committee headed by the Chief Secretary to Government subject to such conditions as deemed fit on case to case basis.

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ಕರ್ನಾಟಕ ಸರ್ಕಾರ

ಸಂಖ್ಯೆ: ಅಪಜೀ 223 ಇಪಿಸಿ 2018

ಕರ್ನಾಟಕ ಸರ್ಕಾರದ ಸಚಿವಾಲಯ,
ಬಹುಮಹಡಿಗಳ ಕಟ್ಟಡ,
ಬೆಂಗಳೂರು, ದಿನಾಂಕ:30.12.2019.

ಅಧಿಸೂಚನೆ

ಸರ್ಕಾರದ ಅಧಿಸೂಚನೆ ಸಂಖ್ಯೆ: ಅಪಜೀ 230 ಇಪಿಸಿ 2017, ದಿನಾಂಕ: 05.03.2019ರಂತೆ, ಶ್ರೀ ಸಿ. ಜಯರಾಮ್, ಭಾ.ಅ.ಸೇ. (ನಿವೃತ್ತ), ನಂ. 41, ಎಂ.ಸಿ.ಎಚ್.ಎಸ್., 14ನೇ ಮುಖ್ಯ ರಸ್ತೆ, 4ನೇ ಸೆಕ್ಷರ್, ಎಚ್.ಎಸ್.ಆರ್. ಲೇಔಟ್, ಬೆಂಗಳೂರು-560103 ಇವರನ್ನು ಜಲ (ಮಾಲಿನ್ಯ ನಿವಾರಣೆ ಮತ್ತು ನಿಯಂತ್ರಣ) ಕಾಯ್ದೆ, 1974 ರ ಅನುಚ್ಛೇದ 4(2) ರನ್ವಯ ತಕ್ಷಣದಿಂದ ಜಾರಿಗೆ ಬರುವಂತೆ ಮೂರು ವರ್ಷಗಳ ಅವಧಿಗೆ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಮಾಲಿನ್ಯ ನಿಯಂತ್ರಣ ಮಂಡಳಿಯ ಅಧ್ಯಕ್ಷರನ್ನಾಗಿ ನಾಮ ನಿರ್ದೇಶನ ಮಾಡಲಾಗಿತ್ತು.

ಆದರೆ, ಶ್ರೀ ಸಿ. ಜಯರಾಮ್ ರವರು ನೀಡಿದ ರಾಜೀನಾಮೆಯನ್ನು ಅಂಗೀಕರಿಸಿದ ಸರ್ಕಾರ ಅಧಿಸೂಚನೆ ಸಂಖ್ಯೆ: ಅಪಜೀ 230 ಇಪಿಸಿ 2017, ದಿನಾಂಕ: 20.06.2019ರಂತೆ ಜಲ (ಮಾಲಿನ್ಯ ನಿವಾರಣೆ ಮತ್ತು ನಿಯಂತ್ರಣ) ಕಾಯ್ದೆ, 1974 ರ ಸೆಕ್ಷನ್ 4(2) ರನ್ವಯ ತಕ್ಷಣದಿಂದ ಜಾರಿಗೆ ಬರುವಂತೆ ಮತ್ತು ಮುಂದಿನ ಆದೇಶದವರೆಗೆ ಹಾಗೂ ಜಲ (ಮಾಲಿನ್ಯ ನಿವಾರಣೆ ಮತ್ತು ನಿಯಂತ್ರಣ) ಕಾಯ್ದೆ, 1974ರ ಕಲಂ 5 (6) ರನ್ವಯ ಬಾಕಿ ಉಳಿದಿರುವ ಅವಧಿಗೆ ಅಂದರೆ ಗರಿಷ್ಠ ದಿನಾಂಕ: 04.03.2022 ರವರೆಗೆ, ಇದರಲ್ಲಿ ಯಾವುದು ಮೊದಲು ಅಲ್ಲಿಯವರೆಗೆ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಪರಿಸರ ಮಾಲಿನ್ಯ ನಿಯಂತ್ರಣ ಮಂಡಳಿಯ ಅಧ್ಯಕ್ಷರನ್ನಾಗಿ ಸಂಪುಟ ದರ್ಜೆಯ ಸ್ಥಾನಮಾನದೊಂದಿಗೆ ಡಾ: ಕೆ. ಸುಧಾಕರ್, ಮಾಜಿ ಶಾಸಕರು, ಪೆರೇಸಂದ್ರ ಗ್ರಾಮ ಮತ್ತು ಅಂಚೆ, ಮುಡಿಕಲ್ಲು ಹೋಬಳಿ, ಚಿಕ್ಕಬಳ್ಳಾಪುರ ತಾಲ್ಲೂಕು, ಚಿಕ್ಕಬಳ್ಳಾಪುರ ಜಿಲ್ಲೆ ನಾಮ ನಿರ್ದೇಶನ ಮಾಡಲಾಗಿತ್ತು.

ಡಾ: ಕೆ. ಸುಧಾಕರ್ ರವರ ರಾಜೀನಾಮೆಯಿಂದ ತೆರವಾದ ಸ್ಥಾನಕ್ಕೆ ಸರ್ಕಾರದ ಅಧಿಸೂಚನೆ ಸಂಖ್ಯೆ: ಅಪಜೀ 230 ಇಪಿಸಿ 2017 (ii), ದಿನಾಂಕ:21.09.2019ರಂತೆ ಜಲ (ಮಾಲಿನ್ಯ ನಿವಾರಣೆ ಮತ್ತು ನಿಯಂತ್ರಣ) ಕಾಯ್ದೆ, 1974 ರ ಸೆಕ್ಷನ್ 4(2) ರನ್ವಯ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಮಾಲಿನ್ಯ ನಿಯಂತ್ರಣ ಮಂಡಳಿಯ ಅಧ್ಯಕ್ಷರನ್ನಾಗಿ ಡಾ: ಸಂದೀಪ್ ದವೆ, ಭಾ.ಅ.ಸೇ., ಸರ್ಕಾರದ ಅಪರ ಮುಖ್ಯ ಕಾರ್ಯದರ್ಶಿಗಳು, ಅರಣ್ಯ, ಜೀವಿಪರಿಸ್ಥಿತಿ ಮತ್ತು ಪರಿಸರ ಇಲಾಖೆ ಇವರನ್ನು ಮುಂದಿನ ಆದೇಶದವರೆಗೆ ನಾಮ ನಿರ್ದೇಶನ ಮಾಡಿ ಆದೇಶಿಸಲಾಗಿತ್ತು.

ಪ್ರಸ್ತುತ, ಡಾ|| ಎಂ. ಸುಧೀಂದ್ರ ರಾವ್, ನಂ. 251/14, 7ನೇ ಎ ಮುಖ್ಯ ರಸ್ತೆ, 7ನೇ ಕ್ರಾಸ್, ಆರ್.ಪಿ.ಸಿ ಲೇಔಟ್, ವಿಜಯನಗರ 2ನೇ ಹಂತ, ಬೆಂಗಳೂರು- 560040 ಇವರನ್ನು ಜಲ (ಮಾಲಿನ್ಯ ನಿವಾರಣೆ ಮತ್ತು ನಿಯಂತ್ರಣ) ಕಾಯ್ದೆ, 1974 ರ ಅನುಚ್ಛೇದ 4(2) ರನ್ವಯ ತಕ್ಷಣದಿಂದ ಜಾರಿಗೆ ಬರುವಂತೆ ಮತ್ತು ಮುಂದಿನ ಆದೇಶದವರೆಗೆ ಹಾಗೂ ಜಲ (ಮಾಲಿನ್ಯ ನಿವಾರಣೆ ಮತ್ತು ನಿಯಂತ್ರಣ) ಕಾಯ್ದೆ, 1974ರ ಕಲಂ 5 (6) ರನ್ವಯ ಬಾಕಿ ಉಳಿದಿರುವ ಅವಧಿಗೆ ಅಂದರೆ ಗರಿಷ್ಠ ದಿನಾಂಕ:04.03.2022 ರವರೆಗೆ, ಇದರಲ್ಲಿ ಯಾವುದು ಮೊದಲೂ ಅಲ್ಲಿಯವರೆಗೆ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಮಾಲಿನ್ಯ ನಿಯಂತ್ರಣ ಮಂಡಳಿಯ ಅಧ್ಯಕ್ಷರನ್ನಾಗಿ ನಾಮ ನಿರ್ದೇಶನ ಮಾಡಿ ಆದೇಶಿಸಲಾಗಿದೆ.

ಈ ನಾಮ ನಿರ್ದೇಶನಕ್ಕೆ ಸಂಬಂಧಿಸಿದ ಷರತ್ತು ಮತ್ತು ನಿಬಂಧನೆಗಳ ಆದೇಶವನ್ನು ಪ್ರತ್ಯೇಕವಾಗಿ ಹೊರಡಿಸಲಾಗುವುದು.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ

(ಮುರಳೀಧರ ಎಸ್. ತಳ್ಳಿಕೇರಿ)
ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ,
ಅರಣ್ಯ, ಜೀವಿಪರಿಸ್ಥಿತಿ ಮತ್ತು ಪರಿಸರ ಇಲಾಖೆ
(ಜೀವಿಪರಿಸ್ಥಿತಿ ಮತ್ತು ಪರಿಸರ).



ಕರ್ನಾಟಕ ವಿಧಾನಸಭೆ
ಹದಿನೈದನೇ ವಿಧಾನಸಭೆ
ಆರನೇ ಅಧಿವೇಶನ

No: KLA/LGA/16/Bill/2020, Bengaluru, Dated : 02.03.2020

The following Bill was introduced in Legislative Assembly on 02.03.2020

ಸರ್ವಜ್ಞ ಕ್ಷೇತ್ರ ಅಭಿವೃದ್ಧಿ ಪ್ರಾಧಿಕಾರ ವಿಧೇಯಕ, ೨೦೨೦
(೨೦೨೦ರ ವಿಧಾನಸಭೆಯ ವಿಧೇಯಕ ಸಂಖ್ಯೆ-೧೬)

ಸರ್ವಜ್ಞ ಜನ್ಮಸ್ಥಳವೂ ಸೇರಿದಂತೆ ಹಾವೇರಿ ಜಿಲ್ಲೆಯಲ್ಲಿನ ಹಿರೇಕೆರೂರು ತಾಲ್ಲೂಕಿನ ಹಿರೇಕೆರೂರು, ಅಬಲೂರು ಮತ್ತು ಮಾಸೂರು ಇಲ್ಲಿ ಮತ್ತು ಇದರ ಸುತ್ತಮುತ್ತಲು ಇರುವ ಸರ್ವಜ್ಞ ಕ್ಷೇತ್ರದ ಅಭಿವೃದ್ಧಿ ಮತ್ತು ನಿರ್ವಹಣೆಗಾಗಿ ಒಂದು ಪ್ರಾಧಿಕಾರವನ್ನು ಸ್ಥಾಪಿಸುವುದಕ್ಕಾಗಿ ಉಪಬಂಧ ಕಲ್ಪಿಸಲು ಒಂದು ವಿಧೇಯಕ.

ಸರ್ವಜ್ಞ ಜನ್ಮಸ್ಥಳವೂ ಸೇರಿದಂತೆ ಹಾವೇರಿ ಜಿಲ್ಲೆಯಲ್ಲಿನ ಹಿರೇಕೆರೂರು ತಾಲ್ಲೂಕಿನ ಹಿರೇಕೆರೂರು, ಅಬಲೂರು ಮತ್ತು ಮಾಸೂರು ಇಲ್ಲಿ ಮತ್ತು ಇದರ ಸುತ್ತಮುತ್ತಲು ಇರುವ ಸರ್ವಜ್ಞ ಕ್ಷೇತ್ರವನ್ನು ಅಂತರರಾಷ್ಟ್ರೀಯ ಯಾತ್ರಾಸ್ಥಳ, ಸಾಂಸ್ಕೃತಿಕ ಮತ್ತು ಪ್ರವಾಸೋದ್ಯಮ ಕೇಂದ್ರವಾಗಿ ಅಭಿವೃದ್ಧಿಪಡಿಸಲು ಮತ್ತು ನಿರ್ವಹಿಸಲು ಒಂದು ಪ್ರಾಧಿಕಾರವನ್ನು ಸ್ಥಾಪಿಸುವುದಕ್ಕಾಗಿ ಉಪಬಂಧ ಕಲ್ಪಿಸುವುದು ಯುಕ್ತವಾಗಿರುವುದರಿಂದ;

ಇದು ಭಾರತ ಗಣರಾಜ್ಯದ ಎಪ್ಪತ್ತೊಂದನೇ ವರ್ಷದಲ್ಲಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ವಿಧಾನಮಂಡಲದಿಂದ ಈ ಮುಂದಿನಂತೆ ಅಧಿನಿಯಮಿತವಾಗತಕ್ಕದ್ದು.

ಅಧ್ಯಾಯ - I

ಪ್ರಾರಂಭಿಕ

1. ಸಂಕ್ಷಿಪ್ತ ಹೆಸರು ಮತ್ತು ಪ್ರಾರಂಭ.- (1) ಈ ಅಧಿನಿಯಮವನ್ನು ಸರ್ವಜ್ಞ ಕ್ಷೇತ್ರ ಅಭಿವೃದ್ಧಿ ಪ್ರಾಧಿಕಾರ ಅಧಿನಿಯಮ, ೨೦೨೦ ಎಂದು ಕರೆಯತಕ್ಕದ್ದು.

(2) ಇದು, ರಾಜ್ಯ ಸರ್ಕಾರವು ಸರ್ಕಾರಿ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಅಧಿಸೂಚನೆಯ ಮೂಲಕ ಗೊತ್ತುಪಡಿಸಬಹುದಾದ ಅಂಥ ದಿನಾಂಕದಿಂದ ಜಾರಿಗೆ ಬರತಕ್ಕದ್ದು.

2. ಪರಿಭಾಷೆಗಳು.- ಈ ಅಧಿನಿಯಮದಲ್ಲಿ, ಸಂದರ್ಭವು ಅನ್ಯಥಾ ಅಗತ್ಯಪಡಿಸಿದ ಹೊರತು,-

(ಎ) “ಸೌಕರ್ಯ” ಎಂಬುದರಲ್ಲಿ ರಸ್ತೆ, ಬೀದಿಗಳು, ಸುರಂಗ ಮಾರ್ಗಗಳು, ದೀಪದ ವ್ಯವಸ್ಥೆ, ಚರಂಡಿ ವ್ಯವಸ್ಥೆ, ನೈರ್ಮಲೀಕರಣ, ವಿದ್ಯುಚ್ಛಕ್ತಿ ಮತ್ತು ನೀರು ಸರಬರಾಜು ಅಥವಾ ಇತರ ಅನುಕೂಲತೆಗಳು, ಲೋಕೋಪಯೋಗಿ ಕಾಮಗಾರಿಗಳು, ಮಾರುಕಟ್ಟೆ ಸ್ಥಳಗಳು, ಅಂಚೆ ಕಚೇರಿಗಳು, ಬ್ಯಾಂಕುಗಳು, ಆಸ್ಪತ್ರೆಗಳು, ಚಿಕಿತ್ಸಾಲಯಗಳು, ಪೊಲೀಸ್ ಠಾಣೆಗಳು, ನ್ಯಾಯಬೆಲೆ ಅಂಗಡಿಗಳು, ಹಾಲಿನ ಬೂತುಗಳು, ಗ್ರಂಥಾಲಯಗಳು, ಮನರಂಜನಾ ಕೇಂದ್ರಗಳು, ಪ್ರಾಧಿಕಾರವು ಅಧಿಕೃತಗೊಳಿಸಿದ ಯಾವುದೇ ಸಾರ್ವಜನಿಕ ಉಪಯುಕ್ತ ಸೇವೆಯ ಸೇವಾ ಕೇಂದ್ರಗಳು ಅಥವಾ ಇತರ ಸೌಲಭ್ಯಗಳು ಸೇರಿಕೊಳ್ಳುತ್ತವೆ; ಮತ್ತು ರಾಜ್ಯ ಸರ್ಕಾರವು ಅಧಿಸೂಚನೆಯ ಮೂಲಕ ನಿರ್ದಿಷ್ಟಪಡಿಸಬಹುದಾದ ಅಂಥ ಇತರ ಸೌಕರ್ಯಗಳನ್ನು ಒಳಗೊಳ್ಳುತ್ತದೆ;

(ಬಿ) “ಪ್ರಾಧಿಕಾರ” ಎಂದರೆ, 3ನೇ ಪ್ರಕರಣದ ಅಡಿಯಲ್ಲಿ ರಚನೆಯಾದ ಸರ್ವಜ್ಞ ಕ್ಷೇತ್ರ ಅಭಿವೃದ್ಧಿ ಪ್ರಾಧಿಕಾರ;

(ಸಿ) “ಅಧ್ಯಕ್ಷ” ಎಂದರೆ, ಪ್ರಾಧಿಕಾರದ ಅಧ್ಯಕ್ಷ;

(ಡಿ) “ಆಯುಕ್ತ” ಎಂದರೆ, 10ನೇ ಪ್ರಕರಣದ ಅಡಿಯಲ್ಲಿ ನೇಮಕಗೊಂಡ ಪ್ರಾಧಿಕಾರದ ಆಯುಕ್ತ;

(ಇ) “ನಿಧಿ” ಎಂದರೆ, ಪ್ರಾಧಿಕಾರದ ನಿಧಿ;

(ಎಫ್) “ಸರ್ಕಾರ” ಎಂದರೆ, ಕರ್ನಾಟಕ ಸರ್ಕಾರ;

- (ಜಿ) “ಸರ್ವಜ್ಞ ಕ್ಷೇತ್ರ” ಎಂದರೆ, ಪ್ರಾಚೀನ ಸ್ಮಾರಕಗಳು ಮತ್ತು ಐತಿಹಾಸಿಕ ಸ್ಥಳಗಳು ಹಾಗೂ ಅವಶೇಷಗಳ ಅಧಿನಿಯಮ, 1958ರ (1958ರ ಕೇಂದ್ರ ಅಧಿನಿಯಮ ಸಂಖ್ಯೆ 24) ಅಡಿಯಲ್ಲಿ ಸಂರಕ್ಷಿತ ಪ್ರದೇಶವೆಂದು ಉಲ್ಲೇಖಿಸಲಾದ ಪ್ರದೇಶವನ್ನು ಹೊರತುಪಡಿಸಿ ಅನುಸೂಚಿಯಲ್ಲಿ ನಿರ್ದಿಷ್ಟಪಡಿಸಿದ ತಾಣಗಳನ್ನು ಒಳಗೊಳ್ಳುವ ಸಂಪೂರ್ಣ ಪ್ರದೇಶ ಮತ್ತು ರಾಜ್ಯ ಸರ್ಕಾರವು ಅಧಿಸೂಚನೆಯ ಮೂಲಕ ಘೋಷಿಸಬಹುದಾದ ಅಂಥ ಇತರ ಪ್ರದೇಶಗಳು;
- (ಹೆಚ್) “ಸದಸ್ಯ” ಎಂದರೆ, ಪ್ರಾಧಿಕಾರದ ಒಬ್ಬ ಸದಸ್ಯ;
- (ಐ) “ವಿನಿಯಮಗಳು” ಎಂದರೆ, 42ನೇ ಪ್ರಕರಣದ ಅಡಿಯಲ್ಲಿ ರಚಿಸಿದ ಪ್ರಾಧಿಕಾರದ ವಿನಿಯಮಗಳು;
- (ಜೆ) “ಅನುಸೂಚಿ” ಎಂದರೆ, ಈ ಅಧಿನಿಯಮಕ್ಕೆ ಲಗತ್ತಿಸಿದ ಅನುಸೂಚಿ.

ಅಧ್ಯಾಯ - II

ಪ್ರಾಧಿಕಾರ ಮತ್ತು ಅದರ ಉದ್ದೋಗಗಳು

3. ಸರ್ವಜ್ಞ ಕ್ಷೇತ್ರ ಅಭಿವೃದ್ಧಿ ಪ್ರಾಧಿಕಾರ.- (1) ರಾಜ್ಯ ಸರ್ಕಾರವು, ಈ ಅಧಿನಿಯಮದ ಪ್ರಾರಂಭದ ತರುವಾಯ ಆದಷ್ಟು ಬೇಗನೆ, ಈ ಅಧಿನಿಯಮದ ಉದ್ದೇಶಗಳಿಗಾಗಿ ಸರ್ವಜ್ಞ ಕ್ಷೇತ್ರ ಅಭಿವೃದ್ಧಿ ಪ್ರಾಧಿಕಾರ ಎಂದು ಕರೆಯಲಾಗುವ ಒಂದು ಪ್ರಾಧಿಕಾರವನ್ನು ರಚಿಸತಕ್ಕದ್ದು.

(2) ಪ್ರಾಧಿಕಾರವು ಕಾಲಕಾಲಕ್ಕೆ ನಿರ್ಧರಿಸಬಹುದಾದ ಅಂಥ ಸ್ಥಳದಲ್ಲಿ ತನ್ನ ಕೇಂದ್ರ ಕಾರ್ಯಸ್ಥಾನವನ್ನು ಪ್ರಾಧಿಕಾರವು ಹೊಂದಿರತಕ್ಕದ್ದು.

(3) ಪ್ರಾಧಿಕಾರವು, ಶಾಶ್ವತ ಉತ್ತರಾಧಿಕಾರ ಮತ್ತು ಸಾಮಾನ್ಯ ಮೊಹರನ್ನು ಹೊಂದಿರುವ, ಚರ ಮತ್ತು ಸ್ಥಿರ ಸ್ವತ್ತುಗಳೆರಡನ್ನು ಆರ್ಜಿಸುವ, ಧಾರಣ ಮಾಡುವ ಮತ್ತು ವಿಲೆ ಮಾಡುವ ಹಾಗೂ ಕರಾರು ಮಾಡಿಕೊಳ್ಳುವ ಅಧಿಕಾರವನ್ನು ಹೊಂದಿರುವ, ಮೇಲೆ ಹೇಳಿದ ಹೆಸರಿನ ಒಂದು ನಿಗಮಿತ ನಿಕಾಯವಾಗಿರತಕ್ಕದ್ದು ಮತ್ತು ಸದರಿ ಹೆಸರಿನಿಂದ ದಾವೆ ಹೂಡತಕ್ಕದ್ದು ಮತ್ತು ದಾವೆಗೆ ಗುರಿಯಾಗತಕ್ಕದ್ದು.

(4) ಪ್ರಾಧಿಕಾರವು ಈ ಮುಂದಿನ ಸದಸ್ಯರನ್ನು ಒಳಗೊಂಡಿರತಕ್ಕದ್ದು, ಎಂದರೆ:-

(ಎ) ಮುಖ್ಯ ಮಂತ್ರಿಯವರು ಅಧ್ಯಕ್ಷರಾಗಿರತಕ್ಕದ್ದು;

(ಬಿ) ಹಾವೇರಿ ಜಿಲ್ಲೆಯ ಉಸ್ತುವಾರಿಯಲ್ಲಿರುವ ಮಂತ್ರಿಗಳು ಉಪಾಧ್ಯಕ್ಷರಾಗಿರತಕ್ಕದ್ದು;

(ಸಿ) ಕನ್ನಡ ಮತ್ತು ಸಂಸ್ಕೃತಿ ಮಂತ್ರಿಗಳು

(ಡಿ) ಕಂದಾಯ ಮಂತ್ರಿಗಳು

(ಇ) ಹಣಕಾಸು ಮಂತ್ರಿಗಳು

(ಎಫ್) ಪ್ರವಾಸೋದ್ಯಮ ಮಂತ್ರಿಗಳು

(ಜಿ) ಲೋಕೋಪಯೋಗಿ ಮಂತ್ರಿಗಳು

(ಎಚ್) ಸರ್ವಜ್ಞ ಕ್ಷೇತ್ರವನ್ನು ಭಾಗಶಃ ಅಥವಾ ಸಂಪೂರ್ಣವಾಗಿ ಪ್ರತಿನಿಧಿಸುವ ಲೋಕಸಭಾ ಮತ್ತು ವಿಧಾನಸಭೆಯ ಸದಸ್ಯರು ಹಾಗೂ ಸರ್ವಜ್ಞ ಕ್ಷೇತ್ರದಲ್ಲಿ ಮತದಾರರಾಗಿ ನೋಂದಾಯಿತರಾದ ರಾಜ್ಯಸಭೆಯ ಮತ್ತು ವಿಧಾನ ಪರಿಷತ್ತಿನ ಸದಸ್ಯರು.

(ಐ) ಸರ್ಕಾರದ ಪ್ರಧಾನ ಕಾರ್ಯದರ್ಶಿ ಅಥವಾ ಕಾರ್ಯದರ್ಶಿ, ಕನ್ನಡ ಮತ್ತು ಸಂಸ್ಕೃತಿ ಇಲಾಖೆ.

(ಜೆ) ಸರ್ಕಾರದ ಪ್ರಧಾನ ಕಾರ್ಯದರ್ಶಿ ಅಥವಾ ಕಾರ್ಯದರ್ಶಿ, ಕಂದಾಯ ಇಲಾಖೆ.

(ಕೆ) ಸರ್ಕಾರದ ಅಪರ ಮುಖ್ಯ ಕಾರ್ಯದರ್ಶಿ ಅಥವಾ ಪ್ರಧಾನ ಕಾರ್ಯದರ್ಶಿ ಅಥವಾ ಕಾರ್ಯದರ್ಶಿ, ಹಣಕಾಸು ಇಲಾಖೆ.

(ಎಲ್) ಸರ್ಕಾರದ ಪ್ರಧಾನ ಕಾರ್ಯದರ್ಶಿ ಅಥವಾ ಕಾರ್ಯದರ್ಶಿ, ಗ್ರಾಮೀಣಾಭಿವೃದ್ಧಿ ಮತ್ತು ಪಂಚಾಯತ್ ರಾಜ್ ಇಲಾಖೆ.

(ಎಂ) ಸರ್ಕಾರದ ಪ್ರಧಾನ ಕಾರ್ಯದರ್ಶಿ ಅಥವಾ ಕಾರ್ಯದರ್ಶಿ, ಲೋಕೋಪಯೋಗಿ ಇಲಾಖೆ.

(ಎನ್) ಬೆಳಗಾವಿ ಪ್ರದೇಶದ ಪ್ರಾದೇಶಿಕ ಆಯುಕ್ತರು.

- ಸದಸ್ಯರು

- ಸದಸ್ಯರು

- ಸದಸ್ಯರು

- ಸದಸ್ಯರು

- ಸದಸ್ಯರು

- ಸದಸ್ಯರು

-ಪದನಿಮಿತ್ತ ಸದಸ್ಯರು

- ಪದನಿಮಿತ್ತ

ಸದಸ್ಯರು

- ಪದನಿಮಿತ್ತ

ಸದಸ್ಯರು

- ಪದನಿಮಿತ್ತ

ಸದಸ್ಯರು

- ಪದನಿಮಿತ್ತ

ಸದಸ್ಯರು

- ಪದನಿಮಿತ್ತ

ಸದಸ್ಯರು

(ಒ) ಹಾವೇರಿ ಜಿಲ್ಲೆಯ ಜಿಲ್ಲಾಧಿಕಾರಿ.	- ಪದನಿಮಿತ್ತ ಸದಸ್ಯರು
(ಪಿ) ನಿರ್ದೇಶಕರು, ಪ್ರಾಚ್ಯವಸ್ತು ಮತ್ತು ವಸ್ತು ಸಂಗ್ರಹಾಲಯಗಳ ಇಲಾಖೆ.	- ಪದನಿಮಿತ್ತ ಸದಸ್ಯರು
(ಕ್ಯೂ) ಜಂಟಿ ನಿರ್ದೇಶಕರು, ಕರ್ನಾಟಕ ಭೂಸೇನಾ ನಿಗಮ.	- ಪದನಿಮಿತ್ತ ಸದಸ್ಯರು
(ಆರ್) ಮುಖ್ಯ ಕಾರ್ಯನಿರ್ವಹಣಾಧಿಕಾರಿ, ಜಿಲ್ಲಾ ಪಂಚಾಯತ್, ಹಾವೇರಿ	- ಪದನಿಮಿತ್ತ ಸದಸ್ಯರು
(ಎಸ್) ಕಾರ್ಯನಿರ್ವಾಹಕ ಅಭಿಯಂತರರು, ಲೋಕೋಪಯೋಗಿ ಇಲಾಖೆ, ಹಾವೇರಿ.	- ಪದನಿಮಿತ್ತ ಸದಸ್ಯರು
(ಟಿ) ಅಬಲೂರು ಮತ್ತು ಮಾಸೂರು ಗ್ರಾಮಪಂಚಾಯತಿಯ ಅಧ್ಯಕ್ಷರು.	- ಪದನಿಮಿತ್ತ ಸದಸ್ಯರು
(ಯು) ರಾಜ್ಯ ಸರ್ಕಾರವು ನಾಮನಿರ್ದೇಶಿಸಿದ ಮೂವರನ್ನು ಮೀರದ ಸರ್ಕಾರೇತರ ಸದಸ್ಯರು.	- ಸರ್ಕಾರೇತರ ಸದಸ್ಯರು
(ಎ) ರಾಜ್ಯ ಸರ್ಕಾರವು ನಾಮನಿರ್ದೇಶಿಸಬೇಕಾದ, ಸರ್ವಜ್ಞನ ಇತಿಹಾಸ ಮತ್ತು ಪರಂಪರೆಯ ಕುರಿತು ತಜ್ಞರಾಗಿರುವ ಐವರನ್ನು ಮೀರದ ವ್ಯಕ್ತಿಗಳು.	- ಸರ್ಕಾರೇತರ ಸದಸ್ಯರು
(ಡಬ್ಲ್ಯೂ) ಪ್ರಾಧಿಕಾರದ ಆಯುಕ್ತರು.	- ಸದಸ್ಯ ಕಾರ್ಯದರ್ಶಿ

4. ಪದಾವಧಿ ಮತ್ತು ಸೇವಾ ಷರತ್ತುಗಳು.- (1) ರಾಜ್ಯ ಸರ್ಕಾರದ ಇಚ್ಛೆಗೊಳಪಟ್ಟು, ರಾಜ್ಯ ಸರ್ಕಾರವು ನಾಮನಿರ್ದೇಶಿಸಿದ ಸರ್ಕಾರೇತರ ಸದಸ್ಯರು ಮೂರು ವರ್ಷಗಳ ಅವಧಿಗೆ ಪದಧಾರಣ ಮಾಡತಕ್ಕದ್ದು.

(2) ಯಾವೊಬ್ಬ ಸರ್ಕಾರೇತರ ಸದಸ್ಯನು ತನ್ನ ಸ್ವ-ಹಸ್ತದಿಂದ ರಾಜ್ಯ ಸರ್ಕಾರಕ್ಕೆ ಬರೆಯುವ ಮೂಲಕ ತನ್ನ ಪದಕ್ಕೆ ರಾಜೀನಾಮೆಯನ್ನು ನೀಡಬಹುದು. ಆದರೆ ಅವನ ರಾಜೀನಾಮೆಯು ಅಂಗೀಕಾರವಾಗುವವರೆಗೂ ಪದದಲ್ಲಿ ಮುಂದುವರೆಯತಕ್ಕದ್ದು.

(3) ನಿಯಮಿಸಬಹುದಾದ ಅಂಥ ಭತ್ಯೆಗಳನ್ನು ಸರ್ಕಾರೇತರ ಸದಸ್ಯರು ಪಡೆಯತಕ್ಕದ್ದು.

5. ಸದಸ್ಯತ್ವದ ಪದಕ್ಕೆ ಅನರ್ಹತೆಗಳು.- ಸರ್ಕಾರೇತರ ಸದಸ್ಯರು,-

- (ಎ) ರಾಜ್ಯ ಸರ್ಕಾರದ ಅಭಿಪ್ರಾಯದಲ್ಲಿ ನೈತಿಕ ಅಧಃಪತನವನ್ನೊಳಗೊಳ್ಳುವ ಒಂದು ಅಪರಾಧಕ್ಕಾಗಿ ಅಪರಾಧಿ ಎಂದು ನಿರ್ಣೀತನಾಗಿದ್ದು ಕಾರಾವಾಸದ ಶಿಕ್ಷೆಗೆ ಗುರಿಯಾಗಿದ್ದರೆ; ಅಥವಾ
 - (ಬಿ) ಅಸ್ವಸ್ಥ ಚಿತ್ತದವನಾಗಿದ್ದರೆ ಮತ್ತು ಹಾಗೆಂದು ಸಕ್ಷಮ ನ್ಯಾಯಾಲಯದಿಂದ ಘೋಷಿತನಾಗಿದ್ದರೆ; ಅಥವಾ
 - (ಸಿ) ಅವಿಮುಕ್ತ ದಿವಾಳಿಯಾಗಿದ್ದರೆ; ಅಥವಾ
 - (ಡಿ) ಕೇಂದ್ರ ಸರ್ಕಾರದ ಅಥವಾ ರಾಜ್ಯ ಸರ್ಕಾರದ ಅಥವಾ ಕೇಂದ್ರ ಸರ್ಕಾರ ಅಥವಾ ರಾಜ್ಯ ಸರ್ಕಾರವು ಒಡತನ ಹೊಂದಿರುವ ಅಥವಾ ನಿಯಂತ್ರಣ ಹೊಂದಿರುವ ಒಂದು ಸಂಸ್ಥೆ ಅಥವಾ ನಿಗಮದ ಸೇವೆಯಿಂದ ತೆಗೆದು ಹಾಕಿದವನಾಗಿದ್ದರೆ ಅಥವಾ ವಜಾ ಮಾಡಿದವನಾಗಿದ್ದರೆ; ಅಥವಾ
 - (ಇ) ಪ್ರಾಧಿಕಾರದ ಆದೇಶದಿಂದ ಮಾಡಲಾದ ಯಾವುದೇ ಕಾರ್ಯದಲ್ಲಿ ಅಥವಾ ಪ್ರಾಧಿಕಾರದೊಡನೆ ಅಥವಾ ಅದರ ಅಡಿಯಲ್ಲಿ ಅಥವಾ ಅದರ ಮೂಲಕ ಅಥವಾ ಅದರ ಪರವಾದ ಯಾವುದೇ ಕರಾರು ಅಥವಾ ನಿಯೋಜನೆಯಲ್ಲಿ ಸ್ವತಃ ಅವನು ಅಥವಾ ಪಾಲುದಾರನಾಗಿ ಪ್ರತ್ಯಕ್ಷ ಅಥವಾ ಪರೋಕ್ಷವಾಗಿ ಯಾವುದೇ ಷೇರನ್ನು ಅಥವಾ ಹಿತಾಸಕ್ತಿಯನ್ನು ಹೊಂದಿದ್ದರೆ; ಅಥವಾ
 - (ಎಫ್) ಪ್ರಾಧಿಕಾರದ ಪರವಾಗಿ ವೇತನ ಪಡೆಯುವ ನ್ಯಾಯವಾದಿಯಾಗಿ ನಿಯೋಜಿತನಾಗಿದ್ದರೆ ಅಥವಾ ಪ್ರಾಧಿಕಾರದ ವಿರುದ್ಧವಾಗಿ ನ್ಯಾಯವಾದಿಯ ನಿಯೋಜನೆಯನ್ನು ಒಪ್ಪಿಕೊಂಡಿದ್ದರೆ,
- ಅವನು ಸದಸ್ಯನಾಗಿ ನೇಮಕ ಹೊಂದಲು ಅಥವಾ ಸದಸ್ಯನಾಗಿರಲು ಅನರ್ಹನಾಗಿರತಕ್ಕದ್ದು:
- ಪರಂತು, ಒಬ್ಬ ವ್ಯಕ್ತಿಯು, ಪ್ರಾಧಿಕಾರದ ವ್ಯವಹಾರಗಳಿಗೆ ಸಂಬಂಧಪಟ್ಟಂತೆ ಯಾವುದೇ ಜಾಹೀರಾತನ್ನು ನೀಡಿದ, ಯಾವುದೇ ವ್ಯಕ್ತಿ ಪತ್ರಿಕೆಯಲ್ಲಿ ಷೇರು ಅಥವಾ ಹಿತಾಸಕ್ತಿಯನ್ನು ಹೊಂದಿದ್ದಾನೆಂಬ ಕಾರಣ ಮಾತ್ರದಿಂದಲೇ
- (ಇ) ಖಂಡದ ಅಡಿಯಲ್ಲಿ ಅನರ್ಹನಾಗತಕ್ಕದ್ದಲ್ಲ ಅಥವಾ ಸದರಿ ಖಂಡದ ಅರ್ಥವ್ಯಾಪ್ತಿಯಲ್ಲಿ ಯಾವುದೇ ಕರಾರು ಅಥವಾ ನಿಯೋಜನೆಯಲ್ಲಿ ಯಾವುದೇ ಷೇರು ಅಥವಾ ಹಿತಾಸಕ್ತಿಯನ್ನು ಹೊಂದಿದ್ದಾನೆಂದು ಭಾವಿಸತಕ್ಕದ್ದಲ್ಲ.

6. ಸರ್ಕಾರೇತರ ಸದಸ್ಯನನ್ನು ತೆಗೆದುಹಾಕುವುದು.- ರಾಜ್ಯ ಸರ್ಕಾರವು ಯಾವೊಬ್ಬ ಸರ್ಕಾರೇತರ ಸದಸ್ಯನನ್ನು,-

- (ಎ) ಅವನು 5ನೇ ಪ್ರಕರಣದಲ್ಲಿ ಹೇಳಲಾದ ಅನರ್ಹತೆಗಳಲ್ಲಿ ಯಾವುದೇ ಅನರ್ಹತೆಗೆ ಒಳಪಟ್ಟರೆ;
- (ಬಿ) ಅವನು ಕಾರ್ಯ ನಿರ್ವಹಿಸಲು ನಿರಾಕರಿಸಿದರೆ ಅಥವಾ ಕಾರ್ಯವನ್ನು ನಿರ್ವಹಿಸಲು ಅಸಮರ್ಥನಾದರೆ; ಅಥವಾ
- (ಸಿ) ಅವನು ಗೈರು ಹಾಜರಾಗಲು ಪ್ರಾಧಿಕಾರದಿಂದ ಅನುಮತಿಯನ್ನು ಪಡೆಯದೆ ಪ್ರಾಧಿಕಾರದ ಮೂರು ನಿರಂತರ ಸಭೆಗಳಿಗೆ ಗೈರುಹಾಜರಾದರೆ;
- (ಡಿ) ಅವನನ್ನು ಆ ಪದದಲ್ಲಿ ಮುಂದುವರಿಸಿದರೆ, ಸಾರ್ವಜನಿಕ ಹಿತಾಸಕ್ತಿಗೆ ಬಾಧಕ ಉಂಟಾಗುವಂತೆ ತನ್ನ ಸ್ಥಾನವನ್ನು ದುರುಪಯೋಗಪಡಿಸಿಕೊಳ್ಳುವನೆಂದು ರಾಜ್ಯ ಸರ್ಕಾರವು ಅಭಿಪ್ರಾಯಪಟ್ಟರೆ;

-ಅವನನ್ನು ತೆಗೆದುಹಾಕತಕ್ಕದ್ದು.

ಪರಂತು, ಯಾವೊಬ್ಬ ಸದಸ್ಯನನ್ನು ಪ್ರಸ್ತಾವದ ವಿರುದ್ಧ ಅವನಿಗೆ ತನ್ನ ಮನವಿಯನ್ನು ಹೇಳಿಕೊಳ್ಳಲು ಒಂದು ಅವಕಾಶವನ್ನು ನೀಡಿದ ಹೊರತು, ಈ ಖಂಡದ ಅಡಿಯಲ್ಲಿ ತೆಗೆದು ಹಾಕತಕ್ಕದ್ದಲ್ಲ.

7. ಮರುನೇಮಕಾತಿಗೆ ಅರ್ಹತೆ.- ಯಾವೊಬ್ಬ ಸದಸ್ಯನು, ಸದಸ್ಯನಾಗಿರುವುದು ಸಮಾಪ್ತಿಯಾದಾಗ, 6ನೇ ಪ್ರಕರಣದ ಅಡಿಯಲ್ಲಿ ತೆಗೆದುಹಾಕಲಾಗಿದ್ದ ಹೊರತು, ಸದಸ್ಯನಾಗಿ ಮರುನೇಮಕ ಹೊಂದಲು ಅರ್ಹನಾಗಿರತಕ್ಕದ್ದು.

8. ಪ್ರಾಧಿಕಾರದ ಅಧಿಕಾರಗಳು.- (1) ಈ ಅಧಿನಿಯಮದ ಉದ್ದೇಶಗಳು ಮತ್ತು ಉಪಬಂಧಗಳನ್ನು ಪರಿಣಾಮಗೊಳಿಸಲು ಪ್ರಾಧಿಕಾರವು ಅವಶ್ಯಕವೆಂದು ಅಭಿಪ್ರಾಯಪಡುವಂಥ ಯಾವುದೇ ಕಾರ್ಯಗಳನ್ನು ಮಾಡುವುದಕ್ಕೆ ಸಾಮಾನ್ಯವಾಗಿ ಪ್ರಾಧಿಕಾರವು ಅಧಿಕಾರವನ್ನು ಹೊಂದಿರತಕ್ಕದ್ದು;

ಪರಂತು, ಈ ಪ್ರಕರಣದಲ್ಲಿ ಇರುವುದು ಯಾವುದೂ, ಯಾವುದೇ ಇತರ ಪ್ರಾಧಿಕಾರವು ನೆರವೇರಿಸಬೇಕೆಂದು ಈ ಅಧಿನಿಯಮದಲ್ಲಿ ನಿರ್ದಿಷ್ಟವಾಗಿ ಹೇಳಿದಂಥ ಯಾವುದೇ ಕಾರ್ಯವನ್ನು ನೆರವೇರಿಸಲು ಈ ಪ್ರಾಧಿಕಾರವನ್ನು ಅಧಿಕೃತಗೊಳಿಸಲಾಗಿದೆಯೆಂದು ಭಾವಿಸತಕ್ಕದ್ದಲ್ಲ.

(2) (1)ನೇ ಉಪಪ್ರಕರಣದ ಸಾಮಾನ್ಯಾನ್ವಯಕ್ಕೆ ಬಾಧಕವಾಗದಂತೆ ಪ್ರಾಧಿಕಾರವು,

- (ಎ) ನಿಯಮಿಸಬಹುದಾದ ಅಂಥ ನಿಯಮಗಳಿಗೆ ಒಳಪಟ್ಟು ಈ ಅಧಿನಿಯಮದ ಯಾವುದೇ ಉದ್ದೇಶವನ್ನು ನೆರವೇರಿಸಲು ಅವಶ್ಯಕ ಅಥವಾ ಯುಕ್ತವೆಂದು ತಾನು ಪರಿಗಣಿಸಬಹುದಾದ ಎಲ್ಲ ಕರಾರುಗಳನ್ನು ಮಾಡಿಕೊಳ್ಳಲು ಮತ್ತು ನೆರವೇರಿಸಲು ಅಧಿಕಾರವನ್ನು ಹೊಂದಿರತಕ್ಕದ್ದು. ಹಾಗೂ ಪ್ರತಿಯೊಂದು ಕರಾರನ್ನು ಪ್ರಾಧಿಕಾರದ ಪರವಾಗಿ ಆಯುಕ್ತರು ಮಾಡಿಕೊಳ್ಳತಕ್ಕದ್ದು;

ಪರಂತು, ಐದು ಲಕ್ಷ ರೂಪಾಯಿಗಳು ಅಥವಾ ಅದಕ್ಕೂ ಹೆಚ್ಚು ವೆಚ್ಚವನ್ನೊಳಗೊಳ್ಳುವ ಯಾವ ಕರಾರನ್ನು ರಾಜ್ಯ ಸರ್ಕಾರದ ಪೂರ್ವ ಮಂಜೂರಾತಿ ಇಲ್ಲದೇ ಮಾಡಿಕೊಳ್ಳತಕ್ಕದ್ದಲ್ಲ.

- (ಬಿ) ರಾಜ್ಯ ಸರ್ಕಾರದ ಪೂರ್ವ ಮಂಜೂರಾತಿಯೊಂದಿಗೆ ಮತ್ತು ಈ ಸಂಬಂಧವಾಗಿ ನಿಯಮಿಸಬಹುದಾದಂತಹ ಷರತ್ತಿಗೊಳಪಟ್ಟು, ಈ ಅಧಿನಿಯಮದ ಉದ್ದೇಶಗಳಿಗಾಗಿ ಕಾಲಕಾಲಕ್ಕೆ ಅಗತ್ಯವಾಗುವ ಯಾವುದೇ ಮೊಬಲಗನ್ನು ಸಾಲವಾಗಿ ಪಡೆಯಲು ಅಧಿಕಾರವನ್ನು ಹೊಂದಿರತಕ್ಕದ್ದು;

- (ಸಿ) ರಾಜ್ಯ ಸರ್ಕಾರದ ಪೂರ್ವಾನುಮೋದನೆಯೊಂದಿಗೆ, ಮುಕ್ತ ಸ್ಥಳಗಳನ್ನು ರೂಪಿಸುವುದಕ್ಕಾಗಿ ಅಥವಾ ಕಟ್ಟಡದ ಉದ್ದೇಶಗಳಿಗಾಗಿ ಅಥವಾ ಅಭಿವೃದ್ಧಿ ಯೋಜನೆಯ ಯಾವುದೇ ಇತರ ರೀತಿಯ ಉದ್ದೇಶಕ್ಕಾಗಿ, 38 ಮತ್ತು 39ನೇ ಪ್ರಕರಣಕ್ಕೆ ಮತ್ತು ನಿಯಮಿಸಬಹುದಾದ ಅಂಥ ನಿಬಂಧಗಳು, ಷರತ್ತುಗಳು ಮತ್ತು ಮಿತಿಗಳಿಗೆ ಒಳಪಟ್ಟು ಅದಕ್ಕೆ ಸೇರಿರುವ ಯಾವುದೇ ಚರ ಅಥವಾ ಸ್ಥಿರ ಸ್ವತ್ತನ್ನು ಗುತ್ತಿಗೆ ನೀಡುವುದು, ಮಾರಾಟ ಮಾಡುವುದು ಅಥವಾ ಅನ್ಯಥಾ ವರ್ಗಾಯಿಸುವುದು ಮತ್ತು ತನ್ನಲ್ಲಿ ನಿಹಿತವಾಗಿರುವ ಅಥವಾ ಸ್ವಾಧೀನಪಡಿಸಿಕೊಂಡಿರುವ ಯಾವುದೇ ಭೂಮಿಯನ್ನು ವಿನಿಯೋಗಿಸಲು ಅಥವಾ ಉಪಯೋಗಿಸಲು ಅಧಿಕಾರವನ್ನು ಹೊಂದಿರತಕ್ಕದ್ದು.

9. ಪ್ರಾಧಿಕಾರದ ಉಪ ಸಮಿತಿಗಳು.- (1) ಪ್ರಾಧಿಕಾರವು, ಯಾವುದೇ ನಿರ್ದಿಷ್ಟ ಉದ್ದೇಶಕ್ಕಾಗಿ, ಆಯುಕ್ತನು ಅಧ್ಯಕ್ಷನಾಗಿರುವ ಮತ್ತು ಪ್ರತಿಯೊಂದು ಉಪಸಮಿತಿಗೆ ಐದು ಜನರಿಗೆ ಮೀರದಂಥ ಇತರ ಸದಸ್ಯರಿರುವ ಒಂದು ಅಥವಾ ಹೆಚ್ಚು ಉಪಸಮಿತಿಗಳನ್ನು ರಚಿಸಬಹುದು. ಉಪಸಮಿತಿಯಲ್ಲಿ ಚರ್ಚಿಸಿ ತೀರ್ಮಾನಿಸಲಾದ ಯಾವುದೇ ವಿಷಯವನ್ನು ಅನುಮೋದನೆ ಅಥವಾ ನಿರಾಕರಣೆಗಾಗಿ ಪ್ರಾಧಿಕಾರದ ಸಭೆಯ ಮುಂದೆ ಮಂಡಿಸತಕ್ಕದ್ದು. ತೀರ್ಮಾನವನ್ನು ಉಪಸಮಿತಿಗೆ ಹಿಂದಿರುಗಿಸಬಹುದು.

(2) ಉಪಸಮಿತಿಗಳು, ಅವುಗಳಿಗೆ ಪ್ರಾಧಿಕಾರವು ಪ್ರತ್ಯಾಯೋಜಿಸಿದಂತಹ ಅಧಿಕಾರಗಳನ್ನು ಚಲಾಯಿಸತಕ್ಕದ್ದು ಮತ್ತು ಅಂತಹ ಕರ್ತವ್ಯಗಳನ್ನು ನಿರ್ವಹಿಸತಕ್ಕದ್ದು.

(3) ಪ್ರತಿಯೊಂದು ಉಪಸಮಿತಿಯು ಕನಿಷ್ಠ ಪಕ್ಷ ಮೂರು ತಿಂಗಳಿಗೆ ಒಂದು ಸಲವಾದರೂ ಸಭೆ ಸೇರತಕ್ಕದ್ದು ಮತ್ತು ವಿನಿಯಮಗಳ ಮೂಲಕ ಉಪಬಂಧಿಸಬಹುದಾದಂತೆ ಅದರ ಸಭೆಯಲ್ಲಿನ ವ್ಯವಹಾರ ನಿರ್ವಹಣೆಗೆ ಸಂಬಂಧಿಸಿದ ಕಾರ್ಯವಿಧಾನದ ಅಂಥ ನಿಯಮಗಳನ್ನು ಪಾಲಿಸತಕ್ಕದ್ದು.

10. ಆಯುಕ್ತನ ನೇಮಕಾತಿ.- (1) ರಾಜ್ಯ ಸರ್ಕಾರವು, ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ ದರ್ಜೆಗೆ ಕಡಿಮೆಯಲ್ಲದ ದರ್ಜೆಯ ಅಧಿಕಾರಿಯನ್ನು ಪ್ರಾಧಿಕಾರದ ಆಯುಕ್ತನನ್ನಾಗಿ ನೇಮಿಸತಕ್ಕದ್ದು.

(2) ಆಯುಕ್ತನು, ರಾಜ್ಯ ಸರ್ಕಾರವು ಕಾಲಕಾಲಕ್ಕೆ ನಿರ್ಧರಿಸಬಹುದಾದ ಅಂಥ ವೇತನ ಮತ್ತು ಇತರ ಭತ್ಯೆಗಳನ್ನು ಸ್ವೀಕರಿಸತಕ್ಕದ್ದು. ಆಯುಕ್ತನ ಸೇವಾ ಷರತ್ತುಗಳನ್ನು ಕರ್ನಾಟಕ ನಾಗರೀಕ ಸೇವಾ ನಿಯಮಗಳು ನಿಯಂತ್ರಿಸತಕ್ಕದ್ದು.

(3) ರಾಜ್ಯ ಸರ್ಕಾರವು, ಕಾಲಕಾಲಕ್ಕೆ ತಾನು ಯುಕ್ತವೆಂದು ಭಾವಿಸುವಂಥ ಅವಧಿಗೆ ಆಯುಕ್ತನಿಗೆ ಗೈರು ಹಾಜರಾಗಲು ಅನುಮತಿಯನ್ನು ನೀಡಬಹುದು.

11. ಆಯುಕ್ತನ ಅಧಿಕಾರಗಳು ಮತ್ತು ಕರ್ತವ್ಯಗಳು.- (1) ಆಯುಕ್ತನು, ಪ್ರಾಧಿಕಾರದ ಮುಖ್ಯ ಕಾರ್ಯನಿರ್ವಹಣಾ ಮತ್ತು ಆಡಳಿತಾಧಿಕಾರಿಯಾಗಿರತಕ್ಕದ್ದು.

(2) ಆಯುಕ್ತನು, ಈ ಅಧಿನಿಯಮದ ಮೂಲಕ ಅಥವಾ ಅದರ ಅಡಿಯಲ್ಲಿ ಅಥವಾ ತತ್ಕಾಲದಲ್ಲಿ ಜಾರಿಯಲ್ಲಿರುವ ಯಾವುದೇ ಕಾನೂನಿನ ಅಡಿಯಲ್ಲಿ ತನಗೆ ಪ್ರದತ್ತವಾಗಿರುವಂತಹ ಪ್ರಕಾರ್ಯಗಳನ್ನು ನೆರವೇರಿಸುವುದರ ಜೊತೆಗೆ,-

(ಎ) ಪ್ರಾಧಿಕಾರದ ಗೊತ್ತುವಳಿಗಳನ್ನು ಅನುಷ್ಠಾನಗೊಳಿಸತಕ್ಕದ್ದು;

(ಬಿ) ಪ್ರಾಧಿಕಾರದ ವ್ಯವಹಾರವನ್ನು ನಡೆಸುವುದು ಮತ್ತು ಪತ್ರ ವ್ಯವಹಾರವನ್ನು ನಡೆಸತಕ್ಕದ್ದು ;

(ಸಿ) ಸರ್ಕಾರವು ನಿರ್ದೇಶಿಸಬಹುದಾದ ಅಂಥ ಯೋಜನೆಗಳನ್ನು ಹಾಗೂ ಕಾಮಗಾರಿಗಳನ್ನು ಕಾರ್ಯಗತಗೊಳಿಸತಕ್ಕದ್ದು ಮತ್ತು ನಿರ್ವಹಿಸತಕ್ಕದ್ದು ಹಾಗೂ ಅದಕ್ಕಾಗಿ ಅವಶ್ಯ ವೆಚ್ಚವನ್ನು ಮಾಡತಕ್ಕದ್ದು;

(ಡಿ) ಪ್ರಾಧಿಕಾರದ ಯೋಜನೆಗಳ ಅನುಷ್ಠಾನಕ್ಕಾಗಿ ಜವಾಬ್ದಾರನಾಗಿರತಕ್ಕದ್ದು;

(ಇ) ಪ್ರಾಧಿಕಾರದ ಬ್ಯಾಂಕ್ ಖಾತೆಗಳಲ್ಲಿ ವ್ಯವಹಾರ ನಡೆಸತಕ್ಕದ್ದು ಮತ್ತು ಪ್ರಾಧಿಕಾರದ ಲೆಕ್ಕಪತ್ರಗಳನ್ನು ನಿರ್ವಹಿಸಲು ಜವಾಬ್ದಾರನಾಗಿರತಕ್ಕದ್ದು;

(ಎಫ್) ಪ್ರಾಧಿಕಾರದ ಅಧಿಕಾರಿಗಳು ಮತ್ತು ನೌಕರರ ಕಾರ್ಯನಿರ್ವಹಣೆ, ಆಡಳಿತಾತ್ಮಕ ಮತ್ತು ಅಂಥ ಅಧಿಕಾರಿಗಳು ಮತ್ತು ನೌಕರರ ಸೇವಾ ಷರತ್ತುಗಳ ವಿಷಯಗಳ ಮೇಲೆ ಮೇಲ್ವಿಚಾರಣೆ ಮತ್ತು ನಿಯಂತ್ರಣವನ್ನು ಚಲಾಯಿಸತಕ್ಕದ್ದು ಹಾಗೂ ಅವರ ವೇತನ ಮತ್ತು ಭತ್ಯೆಗಳನ್ನು ನಿಯಂತ್ರಿಸತಕ್ಕದ್ದು;

(ಜಿ) ಪ್ರಾಧಿಕಾರದ ಸಂಕ್ಷಿಪ್ತ ಟಿಪ್ಪಣಿಗಳ ಮತ್ತು ಯಾವುದೇ ವಿವರ ಪತ್ರದ ಪ್ರತಿಯನ್ನು ಅಥವಾ ರಾಜ್ಯ ಸರ್ಕಾರವು ಕಾಲಕಾಲಕ್ಕೆ ಕೋರಬಹುದಾದ ಇತರ ಮಾಹಿತಿಯನ್ನು ರಾಜ್ಯ ಸರ್ಕಾರಕ್ಕೆ ಒದಗಿಸತಕ್ಕದ್ದು;

(ಎಚ್) ಈ ಅಧಿನಿಯಮದ ಅಥವಾ ತತ್ಕಾಲದಲ್ಲಿ ಜಾರಿಯಲ್ಲಿರುವ ಇತರ ಯಾವುದೇ ಕಾನೂನಿನ ಮೂಲಕ ಅಥವಾ ಅದರ ಅಡಿಯಲ್ಲಿ ಆತನಿಗೆ ಪ್ರದತ್ತವಾದ ಅಂಥ ಇತರ ಪ್ರಕಾರ್ಯಗಳನ್ನು ನೆರವೇರಿಸತಕ್ಕದ್ದು.

12. ಪ್ರಾಧಿಕಾರದ ನೌಕರರು.-(1) ನಿಯಮಿಸಬಹುದಾದಂತಹ ನಿಯಮಗಳಿಗೊಳಪಟ್ಟು ಪ್ರಾಧಿಕಾರವು, ಅಧಿನಿಯಮದ ಪರಿಣಾಮಕಾರಿ ಅನುಷ್ಠಾನಕ್ಕಾಗಿ ಅದು ಅವಶ್ಯವೆಂದು ಭಾವಿಸುವಂತಹ ಸಂಖ್ಯೆಯ ನೌಕರರನ್ನು ನೇಮಕ ಮಾಡಿಕೊಳ್ಳಬಹುದು:

ಪರಂತು, ರಾಜ್ಯ ಸರ್ಕಾರವು ಕರ್ನಾಟಕ ರಾಜ್ಯ ಲೆಕ್ಕಪರಿಶೋಧನೆ ಮತ್ತು ಲೆಕ್ಕಪತ್ರಗಳ ಸೇವೆಯಿಂದ ಗ್ರೂಪ್ "ಎ" ಕಿರಿಯಶ್ರೇಣಿ ಅಧಿಕಾರಿಯ ದರ್ಜೆಗೆ ಕಡಿಮೆ ಇಲ್ಲದ ದರ್ಜೆಯ ಅಧಿಕಾರಿಯನ್ನು ನಿಯೋಜನೆಯ ಮೇಲೆ ಹಣಕಾಸು ಮತ್ತು ಲೆಕ್ಕಪತ್ರದ ನಿಯಂತ್ರಣಾಧಿಕಾರಿಯನ್ನಾಗಿ ನೇಮಕ ಮಾಡತಕ್ಕದ್ದು.

(2) ಹಣಕಾಸು ಮತ್ತು ಲೆಕ್ಕಪತ್ರ ನಿಯಂತ್ರಣಾಧಿಕಾರಿಯು ಆಯುಕ್ತನಲ್ಲಿ ವರದಿ ಮಾಡಿಕೊಳ್ಳತಕ್ಕದ್ದು ಮತ್ತು ಪ್ರಾಧಿಕಾರದ ಹಣಕಾಸು ವ್ಯವಹಾರಗಳ ಬಗ್ಗೆ ವಾಸ್ತವಿಕವಾದ ಹಾಗೂ ನ್ಯಾಯಯುತವಾದ ಚಿತ್ರಣವನ್ನು ನೀಡುವ ಮೂಲಕ ಹಣಕಾಸು ನಿಯಮಗಳನ್ನು ಪಾಲಿಸಲಾಗುತ್ತಿದೆ ಮತ್ತು ಲೆಕ್ಕಪತ್ರಗಳನ್ನು ಅಂದಂದಿನವರೆಗೆ ನಿರ್ವಹಿಸಲಾಗುತ್ತಿದೆಯೆಂಬುದನ್ನು ಖಚಿತಪಡಿಸಿಕೊಳ್ಳತಕ್ಕದ್ದು.

(3) (1)ನೇ ಉಪಪ್ರಕರಣದಲ್ಲಿ ಉಲ್ಲೇಖಿಸಲಾದ ನೌಕರರ ನೇಮಕಾತಿ ವಿಧಾನ, ವೇತನಗಳು, ಭತ್ಯೆಗಳು ಮತ್ತು ಇತರ ಸೇವಾ ಷರತ್ತುಗಳು ನಿಯಮಿಸಬಹುದಾದಂತೆ ಇರತಕ್ಕದ್ದು.

(4) ಪ್ರಾಧಿಕಾರದ ನೌಕರರಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ಆಯುಕ್ತನು ನೇಮಕಾತಿ ಪ್ರಾಧಿಕಾರಿಯಾಗಿರತಕ್ಕದ್ದು ಮತ್ತು ಪ್ರಾಧಿಕಾರದ ಸಿಬ್ಬಂದಿಯ ಮೇಲೆ ಸಾಮಾನ್ಯ ನಿಯಂತ್ರಣವನ್ನು ಹೊಂದಿರತಕ್ಕದ್ದು ಮತ್ತು ಮೇಲ್ವಿಚಾರಣೆಯನ್ನು ಮಾಡತಕ್ಕದ್ದು.

13. ಪ್ರಾಧಿಕಾರದ ಅಡಿಯಲ್ಲಿನ ಸೇವೆಗಳಿಗಾಗಿ ಸಾಮಾನ್ಯ ಅನರ್ಹತೆಗಳು.- ಯಾವೊಬ್ಬ ವ್ಯಕ್ತಿಯು, ನೇರವಾಗಿ ಅಥವಾ ಪರೋಕ್ಷವಾಗಿ, ಖುದ್ದಾಗಿ ಅಥವಾ ತನ್ನ ಪಾಲುದಾರನ ಮೂಲಕ ಅಥವಾ ತನ್ನ ಏಜಂಟನ ಮೂಲಕ ಪ್ರಾಧಿಕಾರದ ಯಾವುದೇ ಷೇರನ್ನು ಹೊಂದಿದ್ದರೆ ಅಥವಾ ಪ್ರಾಧಿಕಾರವು ಮಾಡಿಕೊಂಡ ಇಲ್ಲವೇ ಅದರ ಪರವಾಗಿ ಮಾಡಿಕೊಂಡ ಯಾವುದೇ ಕರಾರಿನಲ್ಲಿ ಹಿತಾಸಕ್ತಿಯನ್ನು ಹೊಂದಿದ್ದರೆ ಆತನು ಪ್ರಾಧಿಕಾರದ ಅಧಿಕಾರಿ ಅಥವಾ ಉದ್ಯೋಗಿಯಾಗತಕ್ಕದ್ದಲ್ಲ ಅಥವಾ ಉದ್ಯೋಗಿಯಾಗಿ ಉಳಿಯತಕ್ಕದ್ದಲ್ಲ.

14. ಪ್ರಾಧಿಕಾರದ ಸಭೆಗಳು.- (1) ಪ್ರಾಧಿಕಾರದ ಆಯುಕ್ತರು, ಪ್ರಾಧಿಕಾರದ ಅಧ್ಯಕ್ಷರ ಪೂರ್ವಾನುಮೋದನೆಯೊಂದಿಗೆ ಮತ್ತು ಅಧ್ಯಕ್ಷರು ಯುಕ್ತವೆಂದು ಭಾವಿಸಬಹುದಾದ ಅಂಥ ಅವಧಿಗಳ ಅಂತರದಲ್ಲಿ ಮತ್ತು ಅಧ್ಯಕ್ಷರು ನಿರ್ಧರಿಸಬಹುದಾದ ಅಂಥ ಸ್ಥಳದಲ್ಲಿ ಪ್ರಾಧಿಕಾರದ ಸಭೆಗಳನ್ನು ನಡೆಸತಕ್ಕದ್ದು:

ಪರಂತು, ಪ್ರಾಧಿಕಾರವು ಒಂದು ಕ್ಯಾಲೆಂಡರ್ ವರ್ಷದಲ್ಲಿ ಕನಿಷ್ಠ ಎರಡು ಬಾರಿಯಾದರೂ ಸಭೆ ಸೇರತಕ್ಕದ್ದು.

(2) ಪ್ರತಿಯೊಂದು ಸಭೆಯ ಅಧ್ಯಕ್ಷತೆಯನ್ನು ಅಧ್ಯಕ್ಷನು ವಹಿಸತಕ್ಕದ್ದು ಮತ್ತು ಯಾವುದೇ ಕಾರಣದಿಂದಾಗಿ ಅಧ್ಯಕ್ಷನಿಗೆ ಯಾವುದೇ ಸಭೆಗೆ ಹಾಜರಾಗಲು ಸಾಧ್ಯವಾಗದಿದ್ದರೆ, ಉಪಾಧ್ಯಕ್ಷನು ಸಭೆಯ ಅಧ್ಯಕ್ಷತೆಯನ್ನು ವಹಿಸತಕ್ಕದ್ದು. ಯಾವುದೇ ಕಾರಣಕ್ಕಾಗಿ ಉಪಾಧ್ಯಕ್ಷನಿಗೆ ಸಭೆಗೆ ಹಾಜರಾಗಲು ಸಾಧ್ಯವಾಗದಿದ್ದರೆ, ಸಭೆಯಲ್ಲಿ ಹಾಜರಿರುವ ಸದಸ್ಯರ ಪೈಕಿ ಆಯ್ಕೆ ಮಾಡಲಾಗುವ ಯಾವೊಬ್ಬ ಇತರ ಸದಸ್ಯನು ಸಭೆಯ ಅಧ್ಯಕ್ಷತೆಯನ್ನು ವಹಿಸತಕ್ಕದ್ದು.

(3) ಪ್ರಾಧಿಕಾರದ ತೀರ್ಮಾನಗಳನ್ನು ಹಾಜರಿದ್ದು ಮತ ಹಾಕುವ ಸದಸ್ಯರ ಸರ್ವಾನುಮತದ ಸಮ್ಮತಿ ಸೂಚನೆಯ ಮೂಲಕ ಕೈಗೊಳ್ಳತಕ್ಕದ್ದು. ಪ್ರಾಧಿಕಾರದ ಮುಂದೆ ತೀರ್ಮಾನಕ್ಕಾಗಿ ಬಂದ ಯಾವುದೇ ನಿರ್ದಿಷ್ಟ ವಿಷಯದ ಬಗ್ಗೆ ಯಾವುದೇ ಭಿನ್ನಾಭಿಪ್ರಾಯಗಳಿದ್ದಲ್ಲಿ, ಆಯುಕ್ತನು ಆ ವಿಷಯವನ್ನು ರಾಜ್ಯ ಸರ್ಕಾರಕ್ಕೆ ಕಳುಹಿಸತಕ್ಕದ್ದು ಮತ್ತು ಅಂಥ ವಿಷಯಗಳಲ್ಲಿ ರಾಜ್ಯ ಸರ್ಕಾರದ ತೀರ್ಮಾನವು ಅಂತಿಮವಾಗಿರತಕ್ಕದ್ದು.

(4) ಪ್ರಾಧಿಕಾರದ ಆಯುಕ್ತನು, ಪ್ರಾಧಿಕಾರದ ತೀರ್ಮಾನಗಳನ್ನು ಕಾರ್ಯಗತಗೊಳಿಸತಕ್ಕದ್ದು:

ಪರಂತು, ಪ್ರಾಧಿಕಾರವು ಕೈಗೊಂಡ ನಿರ್ಣಯವು ಈ ಅಧಿನಿಯಮದ ಅಥವಾ ಇತರ ಕಾನೂನಿನ ಉಪಬಂಧವನ್ನು ಅಥವಾ ಈ ಅಧಿನಿಯಮದ ಅಥವಾ ಇತರ ಯಾವುದೇ ಕಾನೂನಿನ ಅಡಿಯಲ್ಲಿ ರಚಿಸಲಾದ ಅಥವಾ ಹೊರಡಿಸಿದ ಯಾವುದೇ ನಿಯಮ ಅಥವಾ ಅಧಿಸೂಚನೆ ಅಥವಾ ವಿನಿಯಮಗಳ ಉಪಬಂಧವನ್ನು ಅಥವಾ ರಾಜ್ಯ ಸರ್ಕಾರವು ಹೊರಡಿಸಿದ ಯಾವುದೇ ಆದೇಶವನ್ನು ಉಲ್ಲಂಘಿಸುತ್ತದೆಯೆಂದು ಅಥವಾ ಪ್ರಾಧಿಕಾರದ ಹಿತಾಸಕ್ತಿಗೆ ಅಥವಾ ಕ್ಷೇತ್ರದ ಅಭಿವೃದ್ಧಿ ಮತ್ತು ನಿರ್ವಹಣೆಗೆ ಧಕ್ಕೆ ಉಂಟುಮಾಡುತ್ತದೆ ಅಥವಾ ಹಾನಿಕಾರಕವಾಗುತ್ತದೆಯೆಂದು ಆಯುಕ್ತನು ಅಭಿಪ್ರಾಯಪಟ್ಟರೆ, ಅವನು ನಿರ್ಣಯವನ್ನು ಅನುಮೋದಿಸಲಾದ ಹದಿನೈದು ದಿನಗಳ ಒಳಗಾಗಿ ವಿಷಯದ ಬಗ್ಗೆ ಆದೇಶಗಳನ್ನು ಕೋರಿ ರಾಜ್ಯ ಸರ್ಕಾರಕ್ಕೆ ಕಳುಹಿಸತಕ್ಕದ್ದು ಮತ್ತು ಪ್ರಾಧಿಕಾರದ ಮುಂದಿನ ಸಭೆಯಲ್ಲಿ ತಾನು ಕೈಗೊಂಡ ಕ್ರಮದ ಬಗ್ಗೆ ತಿಳಿಸತಕ್ಕದ್ದು ಮತ್ತು ಆಯುಕ್ತನು ಕಳುಹಿಸಿಕೊಟ್ಟ ಅಂತಹ ವಿಷಯದ ಬಗ್ಗೆ ರಾಜ್ಯ ಸರ್ಕಾರವು ಆದೇಶವನ್ನು ನೀಡುವವರೆಗೆ ಆಯುಕ್ತನು ಆ ನಿರ್ಣಯವನ್ನು ಜಾರಿಗೆ ತರಲು ಬದ್ಧನಾಗಿರತಕ್ಕದ್ದಲ್ಲ.

(5) ಪ್ರಾಧಿಕಾರವು ವಿನಿಮಯಗಳ ಮೂಲಕ ತನ್ನ ಸಭೆಗಳ ವ್ಯವಹಾರ ನಿರ್ವಹಣೆಗಳಿಗೆ ಸಂಬಂಧಪಟ್ಟಂತೆ ಈ ಅಧಿನಿಯಮದ ಅಥವಾ ಅದರ ಅಡಿಯಲ್ಲಿ ರಚಿಸಲಾದ ನಿಯಮಗಳ ಉಪಬಂಧಗಳಿಗೆ ಅಸಂಗತವಾಗದ ಕಾರ್ಯವಿಧಾನವನ್ನು ನಿರ್ದಿಷ್ಟಪಡಿಸಬಹುದು.

15. ವ್ಯವಹರಣೆಗಳು ಸರಿಯಾದುದೆಂದು ಮತ್ತು ಸಿಂಧುವಾದುದೆಂದು ಪೂರ್ವಭಾವನೆ ಮಾಡುವುದು.- ಅಧ್ಯಕ್ಷರಾಗಿ, ಉಪಾಧ್ಯಕ್ಷರಾಗಿ ಅಥವಾ ಸದಸ್ಯರಾಗಿ ಕಾರ್ಯನಿರ್ವಹಿಸುವ ಯಾವೊಬ್ಬ ವ್ಯಕ್ತಿಯು ಅನರ್ಹತೆ ಅಥವಾ ನೇಮಕಾತಿಯಲ್ಲಿನ ನ್ಯೂನತೆಯು ಪ್ರಾಧಿಕಾರದ ಯಾವುದೇ ಕೃತ್ಯ ಅಥವಾ ನಡವಳಿಯು ಅನ್ಯಥಾ ಈ ಅಧಿನಿಯಮದ ಉಪಬಂಧಗಳಿಗೆ ಅನುಸಾರವಾಗಿದ್ದರೆ ಅಂತಹ ಕೃತ್ಯ ಅಥವಾ ವ್ಯವಹರಣೆಯನ್ನು ದೂಷಿತಗೊಳಿಸುತ್ತದೆಂದು ಭಾವಿಸತಕ್ಕದ್ದಲ್ಲ.

16. ಟಿಪ್ಪಣಿಯನ್ನು ಸುತ್ತಿಸುವ ಮೂಲಕ ಪ್ರಾಧಿಕಾರದ ತೀರ್ಮಾನಗಳು.- (1) ಅಧ್ಯಕ್ಷರು ಯಾವುದೇ ಪ್ರಕರಣವನ್ನು ಪ್ರಾಧಿಕಾರದ ಒಂದು ಸಭೆಯಲ್ಲಿ ಚರ್ಚೆಗೆ ಬದಲಾಗಿ ಆ ಬಗ್ಗೆ ಸದಸ್ಯರ ಅಭಿಪ್ರಾಯವನ್ನು ಕೋರಿ ನಿಯಮಿಸಲಾದ ನಮೂನೆಯಲ್ಲಿ ಒಂದು ಟಿಪ್ಪಣಿಯನ್ನು ಪ್ರಾಧಿಕಾರದ ಸದಸ್ಯರ ನಡುವೆ ಸುತ್ತಿಸಲು ನಿರ್ದೇಶಿಸಬಹುದು. ಹಾಗೆ ಸುತ್ತಿಸಲಾದ ಟಿಪ್ಪಣಿಯಲ್ಲಿರುವ ಪ್ರಸ್ತಾವವನ್ನು ಎಲ್ಲಾ ಸದಸ್ಯರು ಸರ್ವಾನುಮತದಿಂದ ಒಪ್ಪಿಕೊಂಡಲ್ಲಿ ಅದನ್ನು ಪ್ರಾಧಿಕಾರದ ಸಮ್ಮತಿಸೂಚಕ ನಿರ್ಣಯವೆಂಬುದಾಗಿ ಭಾವಿಸತಕ್ಕದ್ದು ಮತ್ತು ತದನುಸಾರವಾಗಿ ಮುಂದಿನ ಕ್ರಮವನ್ನು ಕೈಗೊಳ್ಳತಕ್ಕದ್ದು. ಪ್ರಾಧಿಕಾರದ ತೀರ್ಮಾನಕ್ಕಾಗಿ ಸುತ್ತಿಸಲಾದ ಯಾವುದೇ ನಿರ್ದಿಷ್ಟ ವಿಷಯದ ಬಗ್ಗೆ ಯಾವುದೇ ಭಿನ್ನಾಭಿಪ್ರಾಯ ವ್ಯಕ್ತವಾದರೆ, ಆಯುಕ್ತನು ಆ ವಿಷಯವನ್ನು ರಾಜ್ಯ ಸರ್ಕಾರಕ್ಕೆ ಕಳುಹಿಸತಕ್ಕದ್ದು ಮತ್ತು ಆ ಬಗ್ಗೆ ರಾಜ್ಯ ಸರ್ಕಾರದ ತೀರ್ಮಾನವೇ ಅಂತಿಮವಾಗಿರತಕ್ಕದ್ದು.

(2) (1)ನೇ ಉಪಪ್ರಕರಣದ ಅಡಿಯಲ್ಲಿ ಅಭಿಪ್ರಾಯಕ್ಕಾಗಿ ಸುತ್ತಿಸಲಾದ ಸಂದರ್ಭಗಳಲ್ಲಿ, ಯಾವೊಬ್ಬ ಸದಸ್ಯನು ಟಿಪ್ಪಣಿಯಲ್ಲಿ ನಿರ್ದಿಷ್ಟ ಪಡಿಸಿರುವ ದಿನಾಂಕದೊಳಗೆ ತಮ್ಮ ಅಭಿಪ್ರಾಯವನ್ನು ತಿಳಿಸಲು ತಪ್ಪಿದರೆ, ಸುತ್ತಿಸಲಾದ ಟಿಪ್ಪಣಿಯಲ್ಲಿ ಒಳಗೊಂಡ ಪ್ರಸ್ತಾವವನ್ನು ಅಂತಹ ಸದಸ್ಯನು ಒಪ್ಪಿಕೊಂಡಿದ್ದಾನೆಂದು ಭಾವಿಸತಕ್ಕದ್ದು.

(3) 14ನೇ ಪ್ರಕರಣದ ಉಪಬಂಧಗಳು ಯಥೋಚಿತ ವ್ಯತ್ಯಾಸಗಳೊಂದಿಗೆ ಈ ಪ್ರಕರಣದ ಅಡಿಯಲ್ಲಿ ಸುತ್ತಿಸುವ ಮೂಲಕ ಕೈಗೊಂಡ ಪ್ರಾಧಿಕಾರದ ತೀರ್ಮಾನಗಳಿಗೆ ಅನ್ವಯವಾಗತಕ್ಕದ್ದು.

(4) (1)ನೇ ಉಪಪ್ರಕರಣದ ಅಡಿಯಲ್ಲಿ ಸುತ್ತಿಸುವುದಕ್ಕಾಗಿ ಮಾಡಲಾದ ಟಿಪ್ಪಣಿಯ ಒಳಾಂಶಗಳನ್ನು ನಿಯಮಿಸತಕ್ಕದ್ದು.

17. ಕೆಲವು ತೀರ್ಮಾನಗಳನ್ನು ಕೈಗೊಳ್ಳಲು ಅಧ್ಯಕ್ಷನ ಅಧಿಕಾರ.-(1) ಯಾವೊಂದು ವಿಷಯವು 14ನೇ ಪ್ರಕರಣದ ಅಡಿಯಲ್ಲಿ ಪ್ರಾಧಿಕಾರದ ಸಭೆಯನ್ನು ಕರೆಯಲು ಅಗತ್ಯಪಡಿಸುವಷ್ಟು ಅಥವಾ 16ನೇ ಪ್ರಕರಣದ ಅಡಿಯಲ್ಲಿ ಸುತ್ತಿಸುವ ಮೂಲಕ ಪ್ರಾಧಿಕಾರವು ತೀರ್ಮಾನಿಸುವವರೆಗೂ ಕಾಯಲು ಸಾಧ್ಯವಾಗದಷ್ಟು ತುರ್ತು ಸ್ವರೂಪದ್ದಾಗಿದೆಯೆಂದು ಅಥವಾ ವಿಷಯವು ಗಹನವಾದುದೆಂದು ಅಧ್ಯಕ್ಷನು ಅಭಿಪ್ರಾಯಪಟ್ಟಲ್ಲಿ, ತಾನು ಯುಕ್ತವೆಂದು ಭಾವಿಸುವಂತಹ ಆದೇಶಗಳನ್ನು ಅವನು ನೀಡಬಹುದು ಮತ್ತು ಅದನ್ನು ಪ್ರಾಧಿಕಾರದ ತೀರ್ಮಾನಗಳ ರೀತಿಯಲ್ಲಿಯೇ ಅನುಷ್ಠಾನಗೊಳಿಸತಕ್ಕದ್ದು:

ಪರಂತು, ಈ ಪ್ರಕರಣದ ಅಡಿಯಲ್ಲಿ ಅಧ್ಯಕ್ಷನು ಕೈಗೊಂಡ ಪ್ರತಿಯೊಂದು ತೀರ್ಮಾನವನ್ನು ಪ್ರಾಧಿಕಾರದ ಮುಂದಿನ ಸಭೆಯಲ್ಲಿ ಮಂಡಿಸತಕ್ಕದ್ದು.

ಅಧ್ಯಾಯ III

ಸರ್ವಜ್ಞ ಕ್ಷೇತ್ರದ ಅಭಿವೃದ್ಧಿ ಹಾಗೂ ನಿರ್ವಹಣೆ

18. ಸರ್ವಜ್ಞ ಕ್ಷೇತ್ರದಲ್ಲಿನ ಪಾರಂಪರಿಕ ತಾಣಗಳು.-(1) ಯಾವುದೇ ಪದ್ಧತಿ, ಸಂಪ್ರದಾಯ, ರೂಢಿಯಲ್ಲಿ ಅಥವಾ ತತ್ಕಾಲದಲ್ಲಿ ಜಾರಿಯಲ್ಲಿರುವ ಯಾವುದೇ ಕಾನೂನಿನ ಅಡಿಯಲ್ಲಿ ಸೃಜಿಸಲಾದ ಮತ್ತು ಅಸ್ತಿತ್ವದಲ್ಲಿರುವ ಯಾವುದೇ ನ್ಯಾಸದ ನಿಬಂಧನೆಗಳಲ್ಲಿ ಏನೇ ಇದ್ದರೂ, ಅನುಸೂಚಿಯಲ್ಲಿ ನಿರ್ದಿಷ್ಟಪಡಿಸಿದ ಎಲ್ಲಾ ಅಥವಾ ಯಾವುದೇ ಪಾರಂಪರಿಕ ತಾಣಗಳ ಸಂಪೂರ್ಣ ನಿಯಂತ್ರಣ, ಮಾಲೀಕತ್ವ, ನಿರ್ವಹಣೆ ಮತ್ತು ಮೇಲ್ವಿಚಾರಣೆಯು, ಭೂ ಸ್ವಾಧೀನ, ಪುನರ್ವಸತಿ ಮತ್ತು ಪುನರ್ವ್ಯವಸ್ಥೆಯಲ್ಲಿ ನ್ಯಾಯಯುತ ಪರಿಹಾರ ಮತ್ತು ಪಾರದರ್ಶಕತೆ ಹಕ್ಕು ಅಧಿನಿಯಮ, 2013ರ (2013ರ ಕೇಂದ್ರ ಅಧಿನಿಯಮ 30) ಅನುಸಾರವಾಗಿ ರಾಜ್ಯ ಸರ್ಕಾರದಲ್ಲಿ ಈಗಾಗಲೇ ನಿಹಿತಗೊಳ್ಳದಿದ್ದಲ್ಲಿ, ರಾಜ್ಯ ಸರ್ಕಾರವು ಅಗತ್ಯವಿದ್ದಲ್ಲಿ ಸ್ವಾಧೀನಪಡಿಸಿಕೊಳ್ಳತಕ್ಕದ್ದು ಮತ್ತು ತದನಂತರ ರಾಜ್ಯ ಸರ್ಕಾರವು ಅಧಿಸೂಚಿಸಿದ ದಿನಾಂಕದಿಂದ ಇದು ಪ್ರಾಧಿಕಾರಕ್ಕೆ ವರ್ಗಾವಣೆಯಾಗತಕ್ಕದ್ದು:

ಪರಂತು, ಈ ಅಧಿನಿಯಮದ ಅಡಿಯಲ್ಲಿ ಸ್ವಾಧೀನಪಡಿಸಿಕೊಂಡ ಭೂಮಿಯನ್ನು ಸಾರ್ವಜನಿಕ ಉದ್ದೇಶಕ್ಕಾಗಿ ಭೂ ಸ್ವಾಧೀನ, ಪುನರ್ವಸತಿ ಮತ್ತು ಪುನರ್ವ್ಯವಸ್ಥೆಯಲ್ಲಿ ನ್ಯಾಯಯುತ ಪರಿಹಾರ ಮತ್ತು ಪಾರದರ್ಶಕತೆ ಹಕ್ಕು ಅಧಿನಿಯಮ, 2013ರ (2013ರ ಕೇಂದ್ರ ಅಧಿನಿಯಮ 30) ಅಡಿಯಲ್ಲಿ ಸ್ವಾಧೀನಪಡಿಸಿಕೊಳ್ಳಲಾಗಿದೆ ಎಂದು ಭಾವಿಸತಕ್ಕದ್ದು.

(2) ರಾಜ್ಯ ಸರ್ಕಾರವು, ತಾತ್ಕಾಲಿಕ ಉಪಬಂಧಗಳನ್ನು ಕಲ್ಪಿಸುವುದು ಅವಶ್ಯವೆಂದು ಭಾವಿಸಿದರೆ, ರಾಜ್ಯ ಸರ್ಕಾರವು ಸಾಮಾನ್ಯ ಅಥವಾ ವಿಶೇಷ ಆದೇಶದ ಮೂಲಕ ಹಾಗೆ ಮಾಡಬಹುದು.

19. ಅನುಸೂಚಿಯನ್ನು ತಿದ್ದುಪಡಿ ಮಾಡುವ ಅಧಿಕಾರ.-(1) ರಾಜ್ಯ ಸರ್ಕಾರವು, ನಿಯಮಿಸಬಹುದಾದಂಥ ಕಾರ್ಯವಿಧಾನವನ್ನು ಅನುಸರಿಸಿದ ತರುವಾಯ ಅಧಿಸೂಚನೆಯ ಮೂಲಕ ಅನುಸೂಚಿಯಲ್ಲಿ ಯಾವುದೇ ನಮೂದನ್ನು ಸೇರಿಸಿ ಅಥವಾ ಮಾರ್ಪಡಿಸಿ ಅದನ್ನು ತಿದ್ದುಪಡಿ ಮಾಡಬಹುದು.

20. ಅಭಿವೃದ್ಧಿ ಯೋಜನೆಯನ್ನು ಸಿದ್ಧಪಡಿಸುವುದು, ಅದರ ಅನುಮೋದನೆ ಹಾಗೂ ಅದನ್ನು ಕಾರ್ಯಗತಗೊಳಿಸುವುದು.-(1) ಪ್ರಾಧಿಕಾರವು, ಅದರ ರಚನೆಯಾದ ಮೇಲೆ, ಆದಷ್ಟು ಬೇಗನೆ ಸರ್ವಜ್ಞ ಕ್ಷೇತ್ರವನ್ನು ಅಂತರರಾಷ್ಟ್ರೀಯ ಪಾರಂಪರಿಕ ತಾಣವಾಗಿ, ಸಾಂಸ್ಕೃತಿಕ ಹಾಗೂ ಪ್ರವಾಸಿ ಕೇಂದ್ರವನ್ನಾಗಿ ಮತ್ತು ಕವಿ ಸರ್ವಜ್ಞ ಮತ್ತು ಆತನ ಸಮಕಾಲೀನರ ಕುರಿತು ಚರ್ಚೆ ಹಾಗೂ ಪ್ರಚಾರದ ಕೇಂದ್ರವನ್ನಾಗಿ ಉಳಿಸಿ ಅದನ್ನು ಅಭಿವೃದ್ಧಿಗೊಳಿಸಲು ಯೋಜನೆಯನ್ನು ಸಿದ್ಧಪಡಿಸತಕ್ಕದ್ದು. ಅಭಿವೃದ್ಧಿ ಯೋಜನೆಯು ಈ ಮುಂದಿನವುಗಳನ್ನು ಒಳಗೊಂಡಿರಬಹುದು, ಎಂದರೆ:-

(ಎ) ಯಾವುದೇ ಪಾರಂಪರಿಕ ತಾಣದ ಅಥವಾ ರಚನೆಯ ಸಂರಕ್ಷಣೆ ಮತ್ತು ಜೀರ್ಣೋದ್ಧಾರ ಹಾಗೂ ಅದರ ನಿರ್ವಹಣೆ ಮತ್ತು ಪುನರ್ ನಿರ್ಮಾಣಕ್ಕಾಗಿ ಕಾರ್ಯಕ್ರಮಗಳು;

(ಬಿ) ಪ್ರಾಧಿಕಾರದ ಅಭಿಪ್ರಾಯದಲ್ಲಿ ಅಭಿವೃದ್ಧಿ ಯೋಜನೆಯನ್ನು ಕಾರ್ಯಗತಗೊಳಿಸಲು ಅವಶ್ಯವಾದ ಭೂಮಿಯನ್ನು ಆರ್ಜನೆ ಅಥವಾ ಖರೀದಿಯ ಮೂಲಕ, ವಿನಿಮಯ ಅಥವಾ ಅನ್ಯಥಾ ಆರ್ಜಿಸುವುದಕ್ಕಾಗಿ ಪ್ರಸ್ತಾವಗಳು;

(ಸಿ) ಸಾರ್ವಜನಿಕ ಉದ್ಯಾನವನಗಳು, ತೋಟಗಾರಿಕೆ ಅಥವಾ ಮೃಗೋದ್ಯಾನಗಳು, ಕಾರಂಜಿಗಳು, ಕೃತಕ ಜಲಪಾತಗಳು, ಆಟದ ಉದ್ಯಾನವನಗಳು, ದೋಣಿ ವಿಹಾರದ ಅಥವಾ ನೀರಿನ ಇತರ ಕ್ರೀಡೆಯ ಸೌಲಭ್ಯವಿರುವ ಸರೋವರಗಳನ್ನು ಅಥವಾ ಅಂಥ ಇತರ ಪ್ರವಾಸಿ ಆಕರ್ಷಣೆಗಳನ್ನು ನಿರ್ಮಿಸುವುದು;

(ಡಿ) ಭತ್ತಗಳು, ವಸತಿ-ಗೃಹಗಳು, ಕಾಟೇಜುಗಳು, ಹೋಟೆಲುಗಳು, ರೆಸ್ಟೋರೆಂಟುಗಳು ಮತ್ತು ವಿವಿಧ ವರ್ಗದ ಪ್ರವಾಸಿಗರಿಗೆ ಆಹಾರವನ್ನು ಒದಗಿಸಲು ಭೋಜನಾಲಯಗಳನ್ನು ನಿರ್ಮಿಸುವುದು;

(ಇ) ಅವಶ್ಯಕ ಅಂಗಡಿಗಳ ಸಾಲುಗಳನ್ನು ಅಥವಾ ಅಂಗಡಿ-ಸಂಕೀರ್ಣಗಳನ್ನು ನಿರ್ಮಿಸುವುದು;

(ಎಫ್) 2ನೇ ಪ್ರಕರಣದ (ಎ) ಖಂಡದಲ್ಲಿ ಪರಿಭಾಷಿಸಲಾದಂತೆ ಸೌಕರ್ಯಗಳನ್ನು ಕಲ್ಪಿಸುವುದು ಮತ್ತು ಚರಂಡಿ ವ್ಯವಸ್ಥೆ, ವಿದ್ಯುಚ್ಛಕ್ತಿ ಮತ್ತು ನೀರು ಪೂರೈಕೆ ಹಾಗೂ ನೈರ್ಮಲ್ಯ ವ್ಯವಸ್ಥೆಯನ್ನು ಒದಗಿಸುವುದು;

(ಜಿ) ಪ್ರಾಧಿಕಾರವು, ಸಾಧಾರಣವಾಗಿ ತನ್ನ ಯೋಜನಾ ಕಾರ್ಯಕ್ಕೆ ಅನುವಾಗುವಂತೆ ಸೂಕ್ತವೆಂದು ಭಾವಿಸಿದರೆ ಮತ್ತು ಮುಖ್ಯವಾಗಿ ಉತ್ತಮ ಚರಂಡಿ ವ್ಯವಸ್ಥೆಯನ್ನು ಒದಗಿಸಲು, ಯಾವುದೇ ಭೂಮಿಯನ್ನು ಎತ್ತರಿಸುವುದು;

(ಹೆಚ್) ಸರ್ವಜ್ಞ ಕ್ಷೇತ್ರ ಒಳಗೊಳ್ಳುವ ಪ್ರದೇಶದಲ್ಲಿ ಅದಕ್ಕೆ ಲಗತ್ತಾಗಿರುವ ಯಾವುದೇ ಪ್ರದೇಶದಲ್ಲಿ ಉತ್ತಮ ಗಾಳಿ-ಬೆಳಕಿನ ವ್ಯವಸ್ಥೆಗಾಗಿ ಖಾಲಿ ಜಾಗಗಳನ್ನು ಬಿಡುವುದು;

(ಐ) ಕಟ್ಟಡಗಳ ನಿರ್ಮಾಣ ಹಾಗೂ ಪುನರ್-ನಿರ್ಮಾಣ, ಅವುಗಳ ನಿರ್ವಹಣೆ ಮತ್ತು ಸಂರಕ್ಷಣೆ;

(ಜೆ) ಸರ್ವಜ್ಞ ಕ್ಷೇತ್ರ ಪ್ರದೇಶದಲ್ಲಿ ಅಥವಾ ಪ್ರಾಧಿಕಾರವು ನಿರ್ಧರಿಸಿದ ಪ್ರದೇಶದಲ್ಲಿ ಅಭಿವೃದ್ಧಿ ಕಾಮಗಾರಿಗಳನ್ನು ಕೈಗೊಳ್ಳುವುದು;

(ಕೆ) ಸಂಪರ್ಕ ಮತ್ತು ಸಾಗಣೆ ಸೌಲಭ್ಯಗಳಿಗಾಗಿ ಸೌಕರ್ಯಗಳನ್ನು ಕಲ್ಪಿಸುವುದು;

(ಎಲ್) ಅಭಿವೃದ್ಧಿ ಯೋಜನೆಯ ಸ್ವೀಕೃತಿಯೊಂದಿಗೆ ಹಾಗೆ ಮುಂದುವರೆಯುವಂತೆ ಅನುಮತಿಸಬಹುದಾದ ಭೌಗೋಳಿಕ ಪ್ರದೇಶದ ಅಭಿವೃದ್ಧಿ ಯೋಜನೆಯಲ್ಲಿ ಅಸ್ತಿತ್ವದಲ್ಲಿರುವ ಧಾರ್ಮಿಕ ಸಂಸ್ಥೆಗಳೊಂದಿಗೆ ಅಂಥ ಹೊಂದಾಣಿಕೆಗಳು ಮತ್ತು ಒಪ್ಪಂದಗಳು;

(ಎಂ) ಸರ್ವಜ್ಞ ಕ್ಷೇತ್ರವನ್ನು ಸಾಂಸ್ಕೃತಿಕ ಕೇಂದ್ರವಾಗಿ ಯಾತ್ರಾ ಸ್ಥಳವಾಗಿ ಮತ್ತು ಅಂತರರಾಷ್ಟ್ರೀಯ ಪ್ರವಾಸಿ ಕೇಂದ್ರವನ್ನಾಗಿ ಹಾಗೂ ಸರ್ವಜ್ಞ ಮಾತ್ರವಲ್ಲದೆ ಆತನ ಸಮಕಾಲೀನರ ಮತ್ತು ಅನುಯಾಯಿಗಳ ಚಿಂತನೆಯ ಕೇಂದ್ರವನ್ನಾಗಿ ಅಭಿವೃದ್ಧಿಗೊಳಿಸಲು ಹಾಗೂ ನಿರ್ವಹಿಸಲು, ಪ್ರಾಧಿಕಾರವು ಯುಕ್ತ ಮತ್ತು ಆನುಷಂಗಿಕವೆಂದು ಅಭಿಪ್ರಾಯಪಡುವ ಯಾವುದೇ ಇತರ ವಿಷಯ; ಸರ್ವಜ್ಞ ಮತ್ತು ಆತನ ಸಮಕಾಲೀನ ಜೀವನ ಮತ್ತು ಪ್ರವಚನಗಳಿಗೆ ಸಂಬಂಧಿಸಿದ ಇತರ ಪ್ರಮುಖ ಸ್ಥಳಗಳನ್ನು ರಕ್ಷಿಸುವುದು ಹಾಗೂ ಈ ವಿಷಯದ ಮೇಲೆ ಅಧ್ಯಯನಗಳಿಗಾಗಿ ಸಂಶೋಧನಾ ಕೇಂದ್ರ ಮತ್ತು ವಿಶೇಷ ಗ್ರಂಥಾಲಯವನ್ನು ಅಭಿವೃದ್ಧಿಪಡಿಸುವುದು.

(ಎನ್) ಪ್ರಾಧಿಕಾರದ ಪ್ರಾದೇಶಿಕ ಪರಿಮಿತಿಯೊಳಗಿನ ಯಾವುದೇ ಐತಿಹಾಸಿಕ ಮತ್ತು ಪಾರಂಪರಿಕ ಸ್ಥಳದಲ್ಲಿ ಮಣ್ಣಿನಲ್ಲಿ ಹೂತು ಹೋಗಿವೆ ಎಂದು ನಂಬಲಾದ ಪ್ರಾಚೀನ ಸ್ಮಾರಕಗಳು ಯಾವುದಾದರೂ ಇದ್ದರೆ, ಅದನ್ನು ಭೂಮಿಯಿಂದ ತೆಗೆಯುವುದಕ್ಕಾಗಿ ಉತ್ಖನನ ಮತ್ತು ಪುರಾತತ್ವದ ಸ್ವರೂಪದ ಪರಿಶೋಧನೆ;

ಪರಂತು, ಈ ಖಂಡದಲ್ಲಿ ಇರುವುದು ಯಾವುದೂ, ಪ್ರಾಚೀನ ಸ್ಮಾರಕಗಳು ಮತ್ತು ಐತಿಹಾಸಿಕ ಸ್ಥಳಗಳು ಮತ್ತು ಅವಶೇಷಗಳ ಅಧಿನಿಯಮ, 1958ರ (1958ರ ಕೇಂದ್ರ ಅಧಿನಿಯಮ ಸಂಖ್ಯೆ: 24) ಉಪಬಂಧಗಳನ್ನು ಅಧ್ಯಾರೋಹಿಸುತ್ತದೆಂದು ಭಾವಿಸತಕ್ಕದ್ದಲ್ಲ.

(2) (1)ನೇ ಉಪಪ್ರಕರಣದಲ್ಲಿ ಸಿದ್ಧಪಡಿಸಲಾದ ಅಭಿವೃದ್ಧಿ ಯೋಜನೆಯನ್ನು ಆಯುಕ್ತನು ಅನುಮೋದನೆಗಾಗಿ ರಾಜ್ಯ ಸರ್ಕಾರಕ್ಕೆ ಕಳುಹಿಸಿಕೊಡತಕ್ಕದ್ದು. ರಾಜ್ಯ ಸರ್ಕಾರವು, ಮಾರ್ಪಾಟುಗಳ ಸಹಿತವಾಗಿ ಅಥವಾ ಯಾವುದೇ ಮಾರ್ಪಾಟುಗಳಿಲ್ಲದೆ ಯೋಜನೆಯನ್ನು ಅನುಮೋದಿಸಬಹುದು.

(3) (2)ನೇ ಉಪಪ್ರಕರಣದಲ್ಲಿಯೇ ಅಭಿವೃದ್ಧಿ ಯೋಜನೆಯನ್ನು ಅನುಮೋದಿಸಿದ ತರುವಾಯ ರಾಜ್ಯ ಸರ್ಕಾರವು, ಯೋಜನೆಯಲ್ಲಿ ಪ್ರಾಧಿಕಾರದ ಶಿಫಾರಸ್ಸುಗಳ ಮೇಲೆ ಕಾಲ ಕಾಲಕ್ಕೆ ತಾನು ಅವಶ್ಯಕವೆಂದು ಭಾವಿಸುವಂಥ ಮಾರ್ಪಾಟುಗಳನ್ನು ಮಾಡಬಹುದು.

(4) ಈ ಪ್ರಕರಣದಲ್ಲಿಯೇ ರಾಜ್ಯ ಸರ್ಕಾರವು ಅನುಮೋದಿಸಿದ ಅಭಿವೃದ್ಧಿ ಯೋಜನೆಗಳನ್ನು ಕಾರ್ಯಗತಗೊಳಿಸುವುದಕ್ಕಾಗಿ ಕಾಮಗಾರಿಗಳನ್ನು ಕೈಗೊಳ್ಳುವ ಮತ್ತು ವೆಚ್ಚವನ್ನು ಭರಿಸುವ ಅಧಿಕಾರವನ್ನು ಪ್ರಾಧಿಕಾರವು ಹೊಂದಿರತಕ್ಕದ್ದು.

೨೧. ಸರ್ವಜ್ಞ ಕ್ಷೇತ್ರದ ನಿರ್ವಹಣೆ.- ರಾಜ್ಯ ಸರ್ಕಾರವು, ಪ್ರಾಧಿಕಾರದ ಶಿಫಾರಸ್ಸಿನ ಮೇಲೆ ಅಥವಾ ಅನ್ಯಥಾ, ಸರ್ವಜ್ಞ ಕ್ಷೇತ್ರದ ನಿರ್ವಹಣೆಗಾಗಿ, ಪಾರಂಪರಿಕ ತಾಣಗಳು ಸೇರಿದಂತೆ ಪ್ರಾಧಿಕಾರದ ಸ್ವತ್ತುಗಳನ್ನು ಯಾವ ರೀತಿಯಲ್ಲಿ ಬಳಸಿಕೊಳ್ಳಬಹುದು ಎಂಬ ರೀತಿಯನ್ನು, ಬರುವ ಭಕ್ತರು, ಯಾತ್ರಿಕರು, ಪ್ರವಾಸಿಗರು ಮತ್ತು ಇತರ ಸಂದರ್ಶಕರು ಬಳಸಿಕೊಳ್ಳಬಹುದಾದ ಹಲವಾರು ಸೌಲಭ್ಯಗಳಿಗಾಗಿ ಅವರಿಂದ ವಸೂಲು ಮಾಡಬಹುದಾದ ದರಗಳು, ಶುಲ್ಕಗಳು ಅಥವಾ ಇತರ ಚಾರ್ಜ್‌ಗಳನ್ನು ಮತ್ತು ಪರಂಪರೆಯ ತಾಣಗಳ ಆವರಣಗಳಿಂದ ಯುಕ್ತವೆನಿಸಬಹುದಾದಂಥ ಇನ್ನಿತರ ವಿಷಯಗಳನ್ನು; ಬಾಡಿಗೆ ಅಥವಾ ನಷ್ಟ ಪರಿಹಾರವನ್ನು ಭೂಕಂದಾಯದ ಬಾಕಿಯಂತೆ ವಸೂಲು ಮಾಡುವ ಅಧಿಕಾರ ಇತ್ಯಾದಿಗಳಿಗಾಗಿ ನಿಯಮಗಳ ಮೂಲಕ ಉಪಬಂಧವನ್ನು ಕಲ್ಪಿಸತಕ್ಕದ್ದು.

೨೨. ಪ್ರಾಧಿಕಾರಕ್ಕೆ ರಾಜ್ಯ ಸರ್ಕಾರದ ಅಧಿಕಾರಗಳ ಪ್ರತ್ಯಾಯೋಜನೆ.- ಕರ್ನಾಟಕ ಪ್ರಾಚೀನ ಮತ್ತು ಐತಿಹಾಸಿಕ ಸ್ಮಾರಕ ಹಾಗೂ ಪುರಾತತ್ವ ಸ್ಥಳಗಳು ಮತ್ತು ಅವಶೇಷಗಳ ಅಧಿನಿಯಮ, ೧೯೬೧ರಲ್ಲಿ (೧೯೬೨ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ ಸಂಖ್ಯೆ ೭) ಏನೇ ಇದ್ದರೂ, ರಾಜ್ಯ ಸರ್ಕಾರವು ಅಧಿಸೂಚನೆಯ ಮೂಲಕ ನಿಯಮಗಳ ರಚನಾಧಿಕಾರವನ್ನು ಹೊರತುಪಡಿಸಿ, ತಾನು ಚಲಾಯಿಸಬಹುದಾದ ಯಾವುದೇ ಅಧಿಕಾರಗಳನ್ನು ಪ್ರಾಧಿಕಾರಕ್ಕೆ ಪ್ರತ್ಯಾಯೋಜಿಸಬಹುದು ಮತ್ತು ಅಂಥ ಅಧಿಸೂಚನೆಯನ್ನು ಹೊರಡಿಸಿದ ತರುವಾಯ ಪ್ರಾಧಿಕಾರವು, ಅಧಿಸೂಚನೆಯಲ್ಲಿ ನಿರ್ದಿಷ್ಟಪಡಿಸಬಹುದಾದ ಅಂಥ ಅಧಿಕಾರಗಳನ್ನು ಹೊಂದಿರತಕ್ಕದ್ದು ಮತ್ತು ಅಂಥ ಪ್ರಕಾರ್ಯಗಳನ್ನು ನೆರವೇರಿಸತಕ್ಕದ್ದು.

೨೩. ಕರ್ನಾಟಕ ಸಾರ್ವಜನಿಕ ಆವರಣಗಳ (ಅನಧಿಕೃತ ಅಧಿಭೋಗದಾರರನ್ನು ಹೊರಹಾಕುವ) ಅಧಿನಿಯಮ, ೧೯೭೪ನ್ನು ಪ್ರಾಧಿಕಾರದ ಆವರಣಗಳಿಗೆ ಅನ್ವಯಿಸುವುದು.- (೧) ರಾಜ್ಯ ಸರ್ಕಾರವು, (೨)ನೇ ಉಪಪ್ರಕರಣದ ಉಪಬಂಧಗಳಿಗೆ ಒಳಪಟ್ಟು, ಅಧಿಸೂಚನೆಯ ಮೂಲಕ ಅಂತಹ ಅಧಿಸೂಚನೆಯಲ್ಲಿ ನಿರ್ದಿಷ್ಟಪಡಿಸಬಹುದಾದ ಅಂಥ ದಿನಾಂಕದಿಂದ ಕರ್ನಾಟಕ ಸಾರ್ವಜನಿಕ ಆವರಣಗಳ (ಅನಧಿಕೃತ ಅಧಿಭೋಗದಾರರನ್ನು ಹೊರಹಾಕುವ) ಅಧಿನಿಯಮ, ೧೯೭೪ನ್ನು (೧೯೭೪ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ ೩೨) ಪ್ರಾಧಿಕಾರಕ್ಕೆ ಸೇರಿದ, ಅದರಲ್ಲಿ ನಿಹಿತವಾದ ಅಥವಾ ಅದು ಗುತ್ತಿಗೆಗೆ ತೆಗೆದುಕೊಂಡ ಆವರಣಕ್ಕೆ, ಸಾರ್ವಜನಿಕ ಆವರಣಗಳಿಗೆ ಆ ಅಧಿನಿಯಮ ಅನ್ವಯಿಸುವಂತೆಯೇ ಅನ್ವಯಿಸತಕ್ಕದ್ದೆಂದು ಉಪಬಂಧವನ್ನು ಕಲ್ಪಿಸಬಹುದು.

(೨) (೧)ನೇ ಉಪಪ್ರಕರಣದ ಅಡಿಯಲ್ಲಿ ಅಧಿಸೂಚನೆಯನ್ನು ಹೊರಡಿಸಿದ ತರುವಾಯ, ಮೇಲ್ಕಂಡ ಅಧಿನಿಯಮ ಮತ್ತು ಅದರ ಅಡಿಯಲ್ಲಿ ರಚಿಸಿದ ನಿಯಮಗಳು, ಪ್ರಾಧಿಕಾರದ ಆವರಣಗಳಿಗೆ ಈ ಮುಂದಿನ ಮಾರ್ಪಾಡುಗಳೊಡನೆ ಅನ್ವಯಿಸತಕ್ಕದ್ದು, ಎಂದರೆ:-

(ಎ) ರಾಜ್ಯ ಸರ್ಕಾರವು, ತಾನು ಸೂಕ್ತವೆಂದು ಭಾವಿಸುವಂತೆ ರಾಜ್ಯ ಸರ್ಕಾರದ ಅಥವಾ ಪ್ರಾಧಿಕಾರದ ಯಾವುದೇ ಅಧಿಕಾರಿಯನ್ನು ಮೇಲ್ಕಂಡ ಅಧಿನಿಯಮದ ಉದ್ದೇಶಗಳಿಗಾಗಿ ಸಕ್ಷಮ ಅಧಿಕಾರಿಯೆಂದು ನೇಮಿಸಬಹುದು; ಮತ್ತು

(ಬಿ) ಆ ಅಧಿನಿಯಮದಲ್ಲಿ ಮತ್ತು ಆ ನಿಯಮಗಳಲ್ಲಿ “ಸಾರ್ವಜನಿಕ ಆವರಣಗಳಿಗೆ” ಮಾಡಿದ ಉಲ್ಲೇಖಗಳನ್ನು ಪ್ರಾಧಿಕಾರದ ಆವರಣಗಳಿಗೆ ಮಾಡಿದ ಉಲ್ಲೇಖಗಳೆಂದು ಭಾವಿಸತಕ್ಕದ್ದು ಮತ್ತು ಆ ಅಧಿನಿಯಮದ ೬, ೭, ೮, ೧೪, ೧೫, ೧೬ ಮತ್ತು ೧೭ನೇ ಪ್ರಕರಣಗಳಲ್ಲಿ “ರಾಜ್ಯ ಸರ್ಕಾರಕ್ಕೆ” ಮಾಡಿದ ಉಲ್ಲೇಖಗಳನ್ನು ಪ್ರಾಧಿಕಾರಕ್ಕೆ ಮಾಡಿದ ಉಲ್ಲೇಖಗಳೆಂದು ಭಾವಿಸತಕ್ಕದ್ದು.

೨೪. ಪ್ರಾಧಿಕಾರದ ಅನುಮತಿ ಇಲ್ಲದೆ ಯಾವುದೇ ಇತರ ಪ್ರಾಧಿಕಾರ ಅಥವಾ ವ್ಯಕ್ತಿಯು ಅಭಿವೃದ್ಧಿಯನ್ನು ಕೈಗೊಳ್ಳತಕ್ಕದ್ದಲ್ಲ.- (೧) ತತ್ಕಾಲದಲ್ಲಿ ಜಾರಿಯಲ್ಲಿರುವ ಯಾವುದೇ ಕಾನೂನಿನಲ್ಲಿ ಏನೇ ಒಳಗೊಂಡಿದ್ದರೂ, ಸರ್ವಜ್ಞ ಕ್ಷೇತ್ರದೊಳಗೆ ಪ್ರಾಧಿಕಾರವು ಕಾಲಕಾಲಕ್ಕೆ ಸರ್ಕಾರಿ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಪ್ರಕಟಿಸಿದ ಅಧಿಸೂಚನೆಯ ಮೂಲಕ ನಿರ್ದಿಷ್ಟಪಡಿಸಬಹುದಾದ ಅಂಥ ಮಾದರಿಗಳ ಯಾವುದೇ ಅಭಿವೃದ್ಧಿಯನ್ನು ಪ್ರಾಧಿಕಾರದ ಪೂರ್ವಾನುಮತಿಯ ಹೊರತು, ಯಾವುದೇ ಪ್ರಾಧಿಕಾರ ಅಥವಾ ವ್ಯಕ್ತಿಯು ಕೈಗೊಳ್ಳತಕ್ಕದ್ದಲ್ಲ.

(೨) ಸರ್ವಜ್ಞ ಕ್ಷೇತ್ರದೊಳಗೆ (೧)ನೇ ಉಪಪ್ರಕರಣದಲ್ಲಿ ಉಲ್ಲೇಖಿಸಿದ ಯಾವುದೇ ಅಭಿವೃದ್ಧಿ ಕೈಗೊಳ್ಳಲು, ಅಂಥ ಅಭಿವೃದ್ಧಿಗಾಗಿ ಪ್ರಾಧಿಕಾರವು ಅನುಮತಿಯನ್ನು ನೀಡಿದ್ದ ಹೊರತು, ಯಾವುದೇ ಸ್ಥಳೀಯ ಪ್ರಾಧಿಕಾರವು ಅನುಮತಿಯನ್ನು ನೀಡತಕ್ಕದ್ದಲ್ಲ.

(೩) (೧)ನೇ ಉಪಪ್ರಕರಣದಲ್ಲಿ ಉಲ್ಲೇಖಿಸಿದ ಅಭಿವೃದ್ಧಿಯನ್ನು ಕೈಗೊಳ್ಳಲು ಇಚ್ಛಿಸುವ ಯಾವುದೇ ಪ್ರಾಧಿಕಾರ ಅಥವಾ ವ್ಯಕ್ತಿಯು, ಅಂಥ ಅಭಿವೃದ್ಧಿಯನ್ನು ಕೈಗೊಳ್ಳಲು ಅನುಮತಿಯನ್ನು ಕೋರಿ ಪ್ರಾಧಿಕಾರಕ್ಕೆ ಲಿಖಿತದಲ್ಲಿ ಅರ್ಜಿಯನ್ನು ಸಲ್ಲಿಸತಕ್ಕದ್ದು.

(೪) ಪ್ರಾಧಿಕಾರವು, ತಾನು ಅವಶ್ಯವೆಂದು ಭಾವಿಸುವಂಥ ವಿಚಾರಣೆಯನ್ನು ನಡೆಸಿದ ತರುವಾಯ, ತಾನು ವಿಧಿಸುವುದು ಸೂಕ್ತವೆಂದು ಭಾವಿಸಬಹುದಾದ ಅಂಥ ಷರತ್ತುಗಳೊಡನೆ ಅಥವಾ ಷರತ್ತುಗಳಿಲ್ಲದೆ ಅಂಥ ಅನುಮತಿಯನ್ನು ನೀಡಬಹುದು ಅಥವಾ ಅಂಥ ಅನುಮತಿಯನ್ನು ನೀಡಲು ನಿರಾಕರಿಸಬಹುದು.

(5) (4)ನೇ ಉಪಪ್ರಕರಣದ ಅಡಿಯಲ್ಲಿಯ ಪ್ರಾಧಿಕಾರದ ತೀರ್ಮಾನದಿಂದ ಬಾಧಿತವಾದ ಯಾವುದೇ ಪ್ರಾಧಿಕಾರ ಅಥವಾ ವ್ಯಕ್ತಿಯು, ತೀರ್ಮಾನದ ದಿನಾಂಕದಿಂದ ಮೂವತ್ತು ದಿನಗಳೊಳಗೆ ಅಂಥ ತೀರ್ಮಾನದ ವಿರುದ್ಧ ರಾಜ್ಯ ಸರ್ಕಾರಕ್ಕೆ ಅಪೀಲನ್ನು ಸಲ್ಲಿಸಬಹುದು, ಮತ್ತು ಅದರ ತೀರ್ಮಾನವು ಅಂತಿಮವಾಗಿರತಕ್ಕದ್ದು:

ಪರಂತು, ಅಂಥ ಅಪೀಲನ್ನು ಸಲ್ಲಿಸುವ ಬಾಧಿತ ಪ್ರಾಧಿಕಾರವು, ಕೇಂದ್ರ ಸರ್ಕಾರದ ಆಡಳಿತಾತ್ಮಕ ನಿಯಂತ್ರಣದಲ್ಲಿದ್ದರೆ, ರಾಜ್ಯ ಸರ್ಕಾರವು, ಕೇಂದ್ರ ಸರ್ಕಾರದೊಡನೆ ಸಮಾಲೋಚನೆ ನಡೆಸಿದ ತರುವಾಯ ಅಪೀಲನ್ನು ತೀರ್ಮಾನಿಸತಕ್ಕದ್ದು.

25. ಪ್ರಾಧಿಕಾರವು ಪ್ರವಾಸೋದ್ಯಮಕ್ಕೆ ಮತ್ತು ಯಾತ್ರೆಗೆ ಉತ್ತೇಜನವನ್ನು ನೀಡುವುದು.- ಈ ಪಾರಂಪರಿಕ ತಾಣಗಳಿಗೆ ವ್ಯಾಪಕ ಪ್ರಚಾರವನ್ನು ನೀಡಲು ಪ್ರವಾಸೋದ್ಯಮ, ಸಾಂಸ್ಕೃತಿಕ, ಐತಿಹಾಸಿಕ ಮತ್ತು ಯಾತ್ರಾ ಪ್ರಾಮುಖ್ಯತೆಯನ್ನು ಉತ್ತೇಜಿಸುವುದಕ್ಕಾಗಿ ಪ್ರಾಧಿಕಾರವು ಕಾರ್ಯಕ್ರಮಗಳನ್ನು ಮತ್ತು ಕಾರ್ಯಚಟುವಟಿಕೆಗಳನ್ನು ಆಯೋಜಿಸಬಹುದು. ಅಂಥ ಕಾರ್ಯಕ್ರಮಗಳು ಈ ಮುಂದಿನವುಗಳನ್ನು ಒಳಗೊಂಡಿರತಕ್ಕದ್ದು,-

(ಎ) ಸರ್ವಜ್ಞ ಜಯಂತೋತ್ಸವ;

(ಬಿ) ಸರ್ವಜ್ಞ ಸಾಹಿತ್ಯೋತ್ಸವ;

(ಸಿ) ಕಲಾ ಪ್ರದರ್ಶನಗಳು ಮತ್ತು ಮಾರಾಟಗಳು;

(ಡಿ) ಸಮ್ಮೇಳನಗಳು, ವಿಚಾರಗೋಷ್ಠಿಗಳು, ಕಾರ್ಯಾಗಾರಗಳು; ಮತ್ತು

(ಇ) ವಾರ್ಷಿಕ ಜಾತ್ರೆಗಳು ಮತ್ತು ವಿಶೇಷ ಸ್ವರೂಪದ ಉತ್ಸವಗಳು.

26. ಅಧಿಕಾರಗಳ ಪ್ರತ್ಯಾಯೋಜನೆ.- (1) ರಾಜ್ಯ ಸರ್ಕಾರವು, ಅಧಿಸೂಚನೆಯ ಮೂಲಕ, 41ನೇ ಪ್ರಕರಣದ ಅಡಿಯಲ್ಲಿ ನಿಯಮಗಳನ್ನು ರಚಿಸುವ ಅಧಿಕಾರವನ್ನು ಹೊರತುಪಡಿಸಿ, ಈ ಅಧಿನಿಯಮದ ಮೂಲಕ ಅಥವಾ ಅದರ ಅಡಿಯಲ್ಲಿ ತನಗೆ ಪ್ರದತ್ತವಾದ ಯಾವುದೇ ಅಧಿಕಾರಗಳನ್ನು ಯಾವುದೇ ಇತರ ಪ್ರಾಧಿಕಾರಕ್ಕೆ ಪ್ರತ್ಯಾಯೋಜಿಸಬಹುದು.

(2) ಪ್ರಾಧಿಕಾರವು, 42ನೇ ಪ್ರಕರಣದ ಅಡಿಯಲ್ಲಿ ವಿನಿಯಮಗಳನ್ನು ರಚಿಸುವ ಅಧಿಕಾರವನ್ನು ಹೊರತುಪಡಿಸಿ, ಈ ಅಧಿನಿಯಮದ ಮೂಲಕ ಅಥವಾ ಅದರ ಅಡಿಯಲ್ಲಿ ತನಗೆ ಪ್ರದತ್ತವಾದ ಯಾವುದೇ ಅಧಿಕಾರಗಳನ್ನು ಆಯುಕ್ತರಿಗೆ ಅಥವಾ ಪ್ರಾಧಿಕಾರದ ಇತರ ಅಧಿಕಾರಿಗಳಿಗೆ ವಿನಿಯಮಗಳ ಮೂಲಕ, ಪ್ರತ್ಯಾಯೋಜಿಸಬಹುದು.

ಅಧ್ಯಾಯ - IV

ಹಣಕಾಸು ಮತ್ತು ಸ್ವತ್ತು

27. ಪ್ರಾಧಿಕಾರದ ನಿಧಿ.- (1) ಸರ್ವಜ್ಞ ಕ್ಷೇತ್ರ ಅಭಿವೃದ್ಧಿ ಪ್ರಾಧಿಕಾರ ನಿಧಿಯೆಂದು ಕರೆಯಲಾಗುವ ಒಂದು ನಿಧಿಯು ಇರತಕ್ಕದ್ದು.

(2) ಸದರಿ ನಿಧಿಗೆ,-

(i) ಕೇಂದ್ರ ಸರ್ಕಾರ, ರಾಜ್ಯ ಸರ್ಕಾರ, ಯಾವುದೇ ಸ್ಥಳೀಯ ಪ್ರಾಧಿಕಾರ ಅಥವಾ ನಿಗಮಿತವಾದ ಅಥವಾ ನಿಗಮಿತವಲ್ಲದ ಯಾವುದೇ ನಿಕಾಯ ಅಥವಾ ಯಾವೊಬ್ಬ ವ್ಯಕ್ತಿಯು ನೀಡಿದ ಎಲ್ಲ ಅನುದಾನಗಳು, ಸಹಾಯಧನಗಳು, ದೇಣಿಗೆಗಳು ಮತ್ತು ಕೊಡುಗೆಗಳನ್ನು;

(ii) ಪ್ರಾಧಿಕಾರವು ಸಾಲ ಪಡೆದ ಮೊಬಲಗನ್ನು; ಮತ್ತು

(iii) ಯಾವುದೇ ಮೂಲದಿಂದಾಗಲಿ, ಪ್ರಾಧಿಕಾರವು ಅಥವಾ ಪ್ರಾಧಿಕಾರದ ಪರವಾಗಿ ಪಡೆದುಕೊಂಡ ಇತರ ಎಲ್ಲಾ ಮೊತ್ತಗಳನ್ನು,

- ಜಮೆ ಮಾಡತಕ್ಕದ್ದು.

(3) ರಾಜ್ಯ ಸರ್ಕಾರವು ಅನ್ಯಥಾ ನಿರ್ದೇಶಿಸಿದ ಹೊರತು ನಿಧಿಗೆ ಜಮೆ ಮಾಡಲಾದ ಎಲ್ಲ ಹಣವನ್ನು ಯಾವುದೇ ಅನುಸೂಚಿತ ಬ್ಯಾಂಕಿನಲ್ಲಿ ಅಥವಾ ರಾಜ್ಯ ಸರ್ಕಾರದ ಖಜಾನೆಯಲ್ಲಿ ಹೂಡತಕ್ಕದ್ದು.

(4) ಪ್ರಾಧಿಕಾರದ ಆಯುಕ್ತರಿಗೆ ಮತ್ತು ಇತರ ಅಧಿಕಾರಿಗಳಿಗೆ ಮತ್ತು ನೌಕರರಿಗೆ ಸಂದಾಯ ಮಾಡಬೇಕಾದ ಸಂಬಳಗಳು, ಭತ್ಯೆಗಳು ಮತ್ತು ನಿವೃತ್ತಿ ವೇತನವೇನಾದರೂ ಇದ್ದಲ್ಲಿ ಅವನ್ನೂ ಒಳಗೊಂಡಂತೆ ಪ್ರಾಧಿಕಾರದ ಆಡಳಿತಾತ್ಮಕ ವೆಚ್ಚಗಳನ್ನು ಪ್ರಾಧಿಕಾರದ ನಿಧಿಯಿಂದ ಭರಿಸತಕ್ಕದ್ದು.

28. ನಿಧಿಯ ಬಳಕೆ.- ಪ್ರಾಧಿಕಾರವು ಹೊಂದಿರುವ ಅಥವಾ ಅದರಲ್ಲಿ ನಿಹಿತವಾಗಿರುವ ನಿಧಿಯನ್ನು ಮತ್ತು ಎಲ್ಲ ಸ್ವತ್ತನ್ನು ಈ ಅಧಿನಿಯಮದ ಉದ್ದೇಶಗಳನ್ನು ನೆರವೇರಿಸುವುದಕ್ಕಾಗಿ ಬಳಸಿಕೊಳ್ಳತಕ್ಕದ್ದು.

29. ರಾಜ್ಯ ಸರ್ಕಾರದಿಂದ ಅನುದಾನ.- ಪ್ರಾಧಿಕಾರವು ತನ್ನದೇ ಸಂಪನ್ಮೂಲಗಳಿಂದ ಸ್ವಯಂ ನಿರ್ವಹಣೆ ಮಾಡಿಕೊಳ್ಳುವ ಹಂತವನ್ನು ತಲುಪುವವರೆಗೆ ಅದರ ಆಡಳಿತಾತ್ಮಕ ವೆಚ್ಚಗಳಿಗೆ ಸಮನಾದ ಮೊತ್ತವನ್ನು ಅನುದಾನದ ರೂಪದಲ್ಲಿ ರಾಜ್ಯ ಸರ್ಕಾರವು ಪ್ರತಿ ವರ್ಷವೂ ಪ್ರಾಧಿಕಾರಕ್ಕೆ ನೀಡತಕ್ಕದ್ದು.

30. ಪ್ರಾಧಿಕಾರದ ಆಯವ್ಯಯ.- (1) ನಿಯಮಿಸಬಹುದಾದ ಅಂಥ ದಿನಾಂಕಕ್ಕೆ ಮೊದಲು ಮತ್ತು ಅಂಥ ನಮೂನೆಯಲ್ಲಿ ಮುಂಬರುವ ಏಪ್ರಿಲ್ ಒಂದನೆಯ ದಿನಾಂಕದಂದು ಪ್ರಾರಂಭವಾಗುವ ಹಣಕಾಸು ವರ್ಷಕ್ಕಾಗಿ ತನ್ನ ಆದಾಯ ಮತ್ತು ವೆಚ್ಚದ ಆಯವ್ಯಯ ಅಂದಾಜನ್ನು ಪ್ರಾಧಿಕಾರವು ಪ್ರತಿ ವರ್ಷವೂ ಸಿದ್ಧಪಡಿಸತಕ್ಕದ್ದು ಮತ್ತು ರಾಜ್ಯ ಸರ್ಕಾರಕ್ಕೆ ಮಂಜೂರಾತಿಗಾಗಿ ಕಳುಹಿಸತಕ್ಕದ್ದು. ಪ್ರಾಧಿಕಾರವು, ಅವಶ್ಯವಾದರೆ, ಯಾವುದೇ ಹಣಕಾಸು ವರ್ಷದ ಅವಧಿಯಲ್ಲಿ ಪೂರಕ ಆಯವ್ಯಯ ಅಂದಾಜುಗಳನ್ನು ಸಹ ಸಿದ್ಧಪಡಿಸಬಹುದು.

(2) ರಾಜ್ಯ ಸರ್ಕಾರವು ಈ ಆಯವ್ಯಯ ಅಂದಾಜುಗಳನ್ನು ಮತ್ತು ಪೂರಕ ಆಯವ್ಯಯ ಅಂದಾಜುಗಳನ್ನು ಅವುಗಳಲ್ಲಿ ಮಾರ್ಪಾಡುಗಳನ್ನು ಮಾಡಿ ಅಥವಾ ಮಾಡದೇ ಅನುಮೋದಿಸತಕ್ಕದ್ದು.

(3) ಅತ್ಯಂತ ತುರ್ತು ಸಂದರ್ಭದಲ್ಲಿ ಆಯುಕ್ತನು, ಒಂದು ಹಣಕಾಸು ವರ್ಷದಲ್ಲಿ ಐದು ಲಕ್ಷ ರೂಪಾಯಿಗಳಿಗೆ ಮೀರದಂತೆ ವೆಚ್ಚವನ್ನು, ಅಂತಹ ವೆಚ್ಚವನ್ನು (2)ನೇ ಉಪಪ್ರಕರಣದಡಿ ರಾಜ್ಯ ಸರ್ಕಾರವು ಅನುಮೋದಿಸಿದ ವಾರ್ಷಿಕ ಅಥವಾ ಪೂರಕ ಆಯವ್ಯಯ ಅಂದಾಜಿನಲ್ಲಿ ಸೇರಿಸಿಲ್ಲದಿದ್ದಾಗ್ಯೂ ಮಾಡಲು ಸಕ್ಷಮನಾಗಿರತಕ್ಕದ್ದು.

(4) ಆಯುಕ್ತನು, ಒಂದು ಬಾರಿಗೆ ಗರಿಷ್ಠ ಒಂದು ಲಕ್ಷ ರೂಪಾಯಿಗಳಿಗೆ ಒಳಪಟ್ಟು ವೆಚ್ಚದ ಒಂದು ಘಟಕದಿಂದ ಇನ್ನೊಂದು ಘಟಕಕ್ಕೆ, ನಿಧಿಗಳ ಪುನರ್ ವಿನ್ಯಾಸಗೊಳಿಸುವ ಅಧಿಕಾರವನ್ನೂ ಹೊಂದಿರತಕ್ಕದ್ದು.

31. ಲೆಕ್ಕಪತ್ರಗಳು ಮತ್ತು ಲೆಕ್ಕಪರಿಶೋಧನೆ.- (1) ಆಯುಕ್ತನು, ನಿಯಮಿಸಬಹುದಾದ ಅಂಥ ಲೆಕ್ಕಪತ್ರಗಳ ಪುಸ್ತಕಗಳನ್ನು ಮತ್ತು ಇತರ ರಿಜಿಸ್ಟರುಗಳನ್ನು ನಿರ್ವಹಿಸುವಂತೆ ಮಾಡತಕ್ಕದ್ದು ಮತ್ತು ನಿಯಮಿಸಲಾದ ವಿಧಾನದಲ್ಲಿ ವಾರ್ಷಿಕ ಲೆಕ್ಕಪತ್ರಗಳ ವಿವರಣೆಯನ್ನು ತಯಾರಿಸತಕ್ಕದ್ದು.

(2) ಪ್ರಾಧಿಕಾರದ ಹಣಕಾಸು ವರ್ಷವು ಪ್ರತಿ ಕ್ಯಾಲೆಂಡರ್ ವರ್ಷದ ಏಪ್ರಿಲ್ 1ನೇ ದಿನಾಂಕದಂದು ಪ್ರಾರಂಭವಾಗತಕ್ಕದ್ದು ಮತ್ತು ಮುಂಬರುವ ಕ್ಯಾಲೆಂಡರ್ ವರ್ಷದ ಮಾರ್ಚ್ 31ನೇ ದಿನದಂದು ಕೊನೆಗೊಳ್ಳತಕ್ಕದ್ದು.

(3) ರಾಜ್ಯ ಲೆಕ್ಕಪರಿಶೋಧನೆ ಮತ್ತು ಲೆಕ್ಕಪತ್ರ ಇಲಾಖೆಯ ಪ್ರಧಾನ ನಿಯಂತ್ರಣಾಧಿಕಾರಿಯು ವಾರ್ಷಿಕವಾಗಿ ಪ್ರಾಧಿಕಾರದ ಲೆಕ್ಕಪತ್ರಗಳ ಲೆಕ್ಕಪರಿಶೋಧನೆಯನ್ನು ನಡೆಸತಕ್ಕದ್ದು. ಪ್ರಾಧಿಕಾರ ಅಥವಾ ರಾಜ್ಯ ಸರ್ಕಾರವು ಸಮವರ್ತಿ ಮತ್ತು ವಿಶೇಷ ಲೆಕ್ಕಪರಿಶೋಧನೆಗಾಗಿಯೂ ಸಹ ಆದೇಶಿಸಬಹುದು.

(4) ಲೆಕ್ಕಪರಿಶೋಧಕನು, ಲೆಕ್ಕಪರಿಶೋಧನೆಯ ಉದ್ದೇಶಗಳಿಗಾಗಿ, ಪ್ರಾಧಿಕಾರದ ಎಲ್ಲ ಲೆಕ್ಕಪತ್ರಗಳನ್ನು ಮತ್ತು ಇತರ ದಾಖಲೆಗಳನ್ನು ನೋಡುವ ಅವಕಾಶವನ್ನು ಹೊಂದಿರತಕ್ಕದ್ದು.

(5) ಲೆಕ್ಕಪತ್ರಗಳ ವಾರ್ಷಿಕ ವಿವರಣೆಯನ್ನು ಮತ್ತು ಲೆಕ್ಕಪರಿಶೋಧಕನ ವರದಿಯನ್ನು ಸ್ವೀಕರಿಸಿದ ತರುವಾಯ, ಸಾಧ್ಯವಾದಷ್ಟು ಬೇಗನೆ ಪ್ರಾಧಿಕಾರವು, ತನ್ನ ಸಭೆಯಲ್ಲಿ ಅದನ್ನು ಪರಿಶೀಲಿಸತಕ್ಕದ್ದು ಮತ್ತು ಲೆಕ್ಕಪರಿಶೋಧಕನು ಮಾಡಿದ ಟೀಕೆಗಳೇನಾದರೂ ಇದ್ದಲ್ಲಿ, ಅದಕ್ಕೆ ನೀಡಿದ ತನ್ನ ವಿವರಣೆಯನ್ನು ಮತ್ತು ಲೆಕ್ಕಪರಿಶೋಧಕನು ಸೂಚಿಸಿದ ಅಕ್ರಮತೆಗಳು ಅಥವಾ ಲೋಪದೋಷಗಳೇನಾದರೂ ಇದ್ದಲ್ಲಿ, ಅವುಗಳ ಪರಿಹಾರೋಪಾಯಕ್ಕಾಗಿ ಪ್ರಾಧಿಕಾರವು ಕೈಗೊಂಡ ಕ್ರಮದ ವಿವರಣೆಯೊಂದಿಗೆ ವಾರ್ಷಿಕ ಲೆಕ್ಕಪತ್ರಗಳ ವಿವರಣೆಯ ಹಾಗೂ ಲೆಕ್ಕಪರಿಶೋಧಕನ ವರದಿಯ ಪ್ರತಿಯನ್ನು ರಾಜ್ಯ ಸರ್ಕಾರಕ್ಕೆ ಕಳುಹಿಸತಕ್ಕದ್ದು.

(6) ರಾಜ್ಯ ಸರ್ಕಾರವು, ಲೆಕ್ಕ ಪರಿಶೋಧಕನ ವರದಿಯನ್ನು ಮತ್ತು (5)ನೇ ಉಪಪ್ರಕರಣದ ಅಡಿಯಲ್ಲಿ ತನಗೆ ಸಲ್ಲಿಸಲಾದ ಇತರ ದಸ್ತಾವೇಜುಗಳನ್ನು ಪರಿಶೀಲಿಸಿದ ತರುವಾಯ ತಾನು ಸೂಕ್ತವೆಂದು ಭಾವಿಸುವ ಅಂಥ ನಿರ್ದೇಶನಗಳನ್ನು ಪ್ರಾಧಿಕಾರಕ್ಕೆ ನೀಡಬಹುದು ಮತ್ತು ಪ್ರಾಧಿಕಾರವು ಅಂಥ ನಿರ್ದೇಶನಗಳನ್ನು ಪಾಲಿಸತಕ್ಕದ್ದು.

32. ವರದಿಗಳು.- (1) ಪ್ರಾಧಿಕಾರವು, ಪ್ರತಿಯೊಂದು ಹಣಕಾಸು ವರ್ಷಕ್ಕಾಗಿ, ತನ್ನ ಕಾರ್ಯನಿರ್ವಹಣೆ ಬಗ್ಗೆ ವಾರ್ಷಿಕ ವರದಿಯೊಂದನ್ನು ತಯಾರಿಸತಕ್ಕದ್ದು ಮತ್ತು 31ನೇ ಪ್ರಕರಣದ ಅಡಿಯಲ್ಲಿ ಇತರ ವರದಿಗಳೊಂದಿಗೆ ಅದನ್ನು ರಾಜ್ಯ ಸರ್ಕಾರಕ್ಕೆ ಸಲ್ಲಿಸತಕ್ಕದ್ದು.

(2) ಪ್ರಾಧಿಕಾರವು, ನಿಯಮಿಸಬಹುದಾದ ಅಂಥ ದಿನಾಂಕಕ್ಕಿಂತ ಮೊದಲು, ಅಂಥ ನಮೂನೆಯಲ್ಲಿ ಮತ್ತು ಅಂಥ ಮಧ್ಯಂತರಗಳಲ್ಲಿ ನಿಯಮಿಸಲಾದ ವರದಿಗಳನ್ನು ರಾಜ್ಯ ಸರ್ಕಾರಕ್ಕೆ ಸಲ್ಲಿಸತಕ್ಕದ್ದು ಮತ್ತು ರಾಜ್ಯ ಸರ್ಕಾರವು ಅಂಥ ವರದಿಗಳನ್ನು ರಾಜ್ಯ ವಿಧಾನಮಂಡಲದ ಪ್ರತಿಯೊಂದು ಸದನದ ಮುಂದೆ ಮಂಡಿಸುವಂತೆ ಮಾಡತಕ್ಕದ್ದು.

ಅಧ್ಯಾಯ V

ಸಂಕೀರ್ಣ

33. ಪ್ರಾಧಿಕಾರವು ತನ್ನ ಅಧಿಕಾರ ವ್ಯಾಪ್ತಿಯೊಳಗಿನ ಯಾವುದೇ ಭೂಮಿಯನ್ನು ಮಾರಾಟ ಮಾಡಕೂಡದು.- ಪ್ರಾಧಿಕಾರವು, ತನ್ನ ವ್ಯಾಪ್ತಿಯೊಳಗಿನ ಯಾವುದೇ ಭೂಮಿಯನ್ನು ಸರ್ಕಾರದ ಪೂರ್ವಾನುಮೋದನೆ ಪಡೆಯದ ಹೊರತು, ಯಾವುದೇ ಉದ್ದೇಶಕ್ಕಾಗಿ ಮತ್ತು ಯಾವೊಬ್ಬ ವ್ಯಕ್ತಿಗೆ ಮಾರಾಟ ಮಾಡತಕ್ಕದ್ದಲ್ಲ.

34. ಕೆಲವು ವ್ಯಕ್ತಿಗಳು ಲೋಕನೌಕರರಾಗಿರತಕ್ಕದ್ದು.- ಪ್ರಾಧಿಕಾರದ ಎಲ್ಲ ಸದಸ್ಯರು, ಅಧಿಕಾರಿಗಳು ಮತ್ತು ನೌಕರರನ್ನು, ಅವರು ಈ ಅಧಿನಿಯಮದ ಯಾವುದೇ ಉಪಬಂಧಗಳ ಅನುಸರಣೆಯಲ್ಲಿ ಕಾರ್ಯನಿರ್ವಹಿಸುತ್ತಿರುವಾಗ ಅಥವಾ ಕಾರ್ಯ ನಿರ್ವಹಿಸುತ್ತಿರುವರೆಂದು ತಾತ್ಪರ್ಯವಾದಾಗ ಅವರನ್ನು ಭಾರತೀಯ ದಂಡ ಸಂಹಿತೆಯ 21ನೇ ಪ್ರಕರಣದ ಅರ್ಥವ್ಯಾಪ್ತಿಯೊಳಗೆ ಲೋಕನೌಕರರು ಎಂಬುದಾಗಿ ಭಾವಿಸತಕ್ಕದ್ದು.

35. ಸದ್ಭಾವನೆಯಲ್ಲಿ ಕೈಗೊಂಡ ಕ್ರಮದ ರಕ್ಷಣೆ.- ಈ ಅಧಿನಿಯಮದ ಅಡಿಯಲ್ಲಿ, ಸದ್ಭಾವನೆಯಿಂದ ಕೈಗೊಂಡ ಅಥವಾ ಕೈಗೊಳ್ಳಲು ಉದ್ದೇಶಿಸಿದ ಯಾವುದೇ ಕೃತ್ಯಕ್ಕಾಗಿ, ಯಾವೊಬ್ಬ ವ್ಯಕ್ತಿಯ ವಿರುದ್ಧ ಯಾವುದೇ ದಾವೆ, ಪ್ರಾಸಿಕ್ಯೂಷನ್ ಅಥವಾ ಇತರೆ ಕಾನೂನು ವ್ಯವಹಾರಗಳನ್ನು ಹೂಡತಕ್ಕದ್ದಲ್ಲ.

36. ಕರ್ತವ್ಯ ನಿರ್ವಹಣೆಯಲ್ಲಿ ಲೋಪ.- (1) ಈ ಅಧಿನಿಯಮದ ಮೂಲಕ ಅಥವಾ ಅದರ ಅಡಿಯಲ್ಲಿ ವಿಧಿಸಲಾದ ಯಾವುದೇ ಕರ್ತವ್ಯದ ನಿರ್ವಹಣೆಯಲ್ಲಿ ಪ್ರಾಧಿಕಾರವು ಲೋಪ ಮಾಡಿದೆ ಎಂದು ರಾಜ್ಯ ಸರ್ಕಾರಕ್ಕೆ ಮನವರಿಕೆಯಾದರೆ, ಆ ಕರ್ತವ್ಯದ ನಿರ್ವಹಣೆಗಾಗಿ ಅದು ಒಂದು ಅವಧಿಯನ್ನು ನಿಗದಿಪಡಿಸತಕ್ಕದ್ದು.

(2) ರಾಜ್ಯ ಸರ್ಕಾರದ ಅಭಿಪ್ರಾಯದಲ್ಲಿ, ಅದರ ಕರ್ತವ್ಯ ನಿರ್ವಹಣೆಗಾಗಿ ಹಾಗೆ ನಿಗದಿಪಡಿಸಿದ ಅವಧಿಯೊಳಗೆ ಅಂಥ ಕರ್ತವ್ಯ ನಿರ್ವಹಣೆ ಮಾಡುವಲ್ಲಿ ಪ್ರಾಧಿಕಾರವು ವಿಫಲವಾದರೆ ಅಥವಾ ನಿರ್ಲಕ್ಷ್ಯ ತೋರಿದರೆ, ಪ್ರಾಧಿಕಾರಕ್ಕೆ ಲೋಪಗಳನ್ನು ಸರಿಪಡಿಸಲು ನಿರ್ದೇಶನ ನೀಡುವುದು ಸರ್ಕಾರಕ್ಕೆ ಕಾನೂನುಸಮ್ಮತವಾಗಿರತಕ್ಕದ್ದು.

37. ಪ್ರಾಧಿಕಾರದ ವಿಘಟನೆ.- (1) ರಾಜ್ಯ ಸರ್ಕಾರವು, ಅಧಿಸೂಚನೆಯ ಮೂಲಕ, ಆ ಅಧಿಸೂಚನೆಯಲ್ಲಿ ನಿರ್ದಿಷ್ಟಪಡಿಸಬಹುದಾದ ಅಂಥ ದಿನಾಂಕದಿಂದ ಜಾರಿಗೆ ಬರುವಂತೆ, ಪ್ರಾಧಿಕಾರವು ವಿಘಟಿತವಾಗತಕ್ಕದ್ದೆಂದು ಘೋಷಿಸಬಹುದು:

ಪರಂತು, ಅಂಥ ಯಾವುದೇ ಘೋಷಣೆಯನ್ನು, ಆ ಅಭಿಪ್ರಾಯದ ಒಂದು ಗೊತ್ತುವಳಿಯನ್ನು ರಾಜ್ಯ ವಿಧಾನಮಂಡಲದ ಉಭಯ ಸದನಗಳ ಮುಂದೆ ಮಂಡಿಸಿ ಅವುಗಳು ಅದನ್ನು ಅನುಮೋದಿಸಿದ ಹೊರತು, ರಾಜ್ಯ ಸರ್ಕಾರವು ಮಾಡತಕ್ಕದ್ದಲ್ಲ.

(2) (1)ನೇ ಉಪಪ್ರಕರಣದ ಅಡಿಯಲ್ಲಿನ ಅಧಿಸೂಚನೆಯಲ್ಲಿ ನಿರ್ದಿಷ್ಟಪಡಿಸಿದ ದಿನಾಂಕದಿಂದ ಪರಿಣಾಮಕಾರಿಯಾಗುವಂತೆ,-

(ಎ) ಪ್ರಾಧಿಕಾರದಲ್ಲಿ ನಿಹಿತವಾದ ಮತ್ತು ಅದರಿಂದ ವಸೂಲಾಗತಕ್ಕ ಎಲ್ಲ ಸ್ವತ್ತುಗಳು, ನಿಧಿಗಳು ಮತ್ತು ಬಾಕಿಗಳು ರಾಜ್ಯ ಸರ್ಕಾರದಲ್ಲಿ ನಿಹಿತವಾಗತಕ್ಕದ್ದು ಮತ್ತು ಅದು ವಸೂಲಿ ಮಾಡಬಹುದಾಗಿರತಕ್ಕದ್ದು.

(ಬಿ) ಪ್ರಾಧಿಕಾರದ ವಿರುದ್ಧ ಜಾರಿಮಾಡಬಹುದಾದ ಎಲ್ಲ ಹೊಣೆಗಾರಿಕೆಗಳು, ರಾಜ್ಯ ಸರ್ಕಾರದಲ್ಲಿ ನಿಹಿತವಾದ ಮತ್ತು ಅದರಿಂದ ವಸೂಲಿಯಾದ ಸ್ವತ್ತು, ನಿಧಿ ಮತ್ತು ಬಾಕಿಗಳಷ್ಟರ ಮಟ್ಟಿಗೆ ರಾಜ್ಯ ಸರ್ಕಾರದ ವಿರುದ್ಧ ಜಾರಿಯಾಗಬಹುದಾಗಿರತಕ್ಕದ್ದು.

38. ರಾಜ್ಯ ಸರ್ಕಾರದಿಂದ ನಿಯಂತ್ರಣ.- (1) ಪ್ರಾಧಿಕಾರದ ಎಲ್ಲ ಕಾರ್ಯಚಟುವಟಿಕೆಗಳು ಮತ್ತು ವ್ಯವಹಾರಗಳ ಮೇಲೆ ರಾಜ್ಯ ಸರ್ಕಾರವು ಸಾಮಾನ್ಯ ಆಡಳಿತಾತ್ಮಕ ನಿಯಂತ್ರಣ ಮತ್ತು ಮೇಲ್ವಿಚಾರಣೆಯನ್ನು ಹೊಂದಿರತಕ್ಕದ್ದು.

(2) ಪ್ರಾಧಿಕಾರದ ಆಯುಕ್ತರ ಅಥವಾ ಪ್ರಾಧಿಕಾರದ ಅಧೀನದ ಯಾವೊಬ್ಬ ಅಧಿಕಾರಿಯ ಯಾವುದೇ ನಡವಳಿಕೆಗಳ ದಾಖಲೆಗಳನ್ನು, ಅಂಥ ನಡವಳಿಕೆಗಳ ಯಥಾರ್ಥತೆ, ಕಾನೂನು ಬದ್ಧತೆ ಅಥವಾ ಔಚಿತ್ಯಗಳ ಬಗ್ಗೆ ತಾನು ಮನವರಿಕೆ ಮಾಡಿಕೊಳ್ಳುವ ಉದ್ದೇಶಕ್ಕಾಗಿ ರಾಜ್ಯ ಸರ್ಕಾರವು, ತರಿಸಿಕೊಳ್ಳಬಹುದು ಮತ್ತು ಅವುಗಳ ಬಗ್ಗೆ ತಾನು ಸೂಕ್ತವೆಂದು ಭಾವಿಸಿದ ಅಂಥ ಆದೇಶವನ್ನು ಹೊರಡಿಸಬಹುದು.

39. ನಿರ್ದೇಶನಗಳನ್ನು ನೀಡುವುದಕ್ಕೆ ರಾಜ್ಯ ಸರ್ಕಾರದ ಅಧಿಕಾರ.- ರಾಜ್ಯ ಸರ್ಕಾರವು, ಈ ಅಧಿನಿಯಮದ ಉದ್ದೇಶಗಳನ್ನು ಜಾರಿಗೊಳಿಸುವುದಕ್ಕಾಗಿ ತಾನು ಅವಶ್ಯಕ ಮತ್ತು ಯುಕ್ತವೆಂದು ಅಭಿಪ್ರಾಯಪಡುವಂಥ ನಿರ್ದೇಶನಗಳನ್ನು ಪ್ರಾಧಿಕಾರಕ್ಕೆ ನೀಡಬಹುದು ಮತ್ತು ಅಂಥ ನಿರ್ದೇಶನಗಳನ್ನು ಪಾಲಿಸುವುದು ಪ್ರಾಧಿಕಾರದ ಕರ್ತವ್ಯವಾಗಿರತಕ್ಕದ್ದು.

40. ತೊಂದರೆಗಳ ನಿವಾರಣೆ.- ಈ ಅಧಿನಿಯಮದ ಉಪಬಂಧಗಳನ್ನು ಜಾರಿಗೆ ತರುವಲ್ಲಿ, ಯಾವುದೇ ತೊಂದರೆ ಉದ್ಭವಿಸಿದರೆ, ಆ ತೊಂದರೆಯ ನಿವಾರಣೆಗಾಗಿ, ಈ ಅಧಿನಿಯಮದ ಉಪಬಂಧಗಳಿಗೆ ಅಸಂಗತವಾಗದ

ತಾನು ಅವಶ್ಯಕ ಮತ್ತು ಯುಕ್ತವೆಂದು ಅಭಿಪ್ರಾಯಪಡುವಂಥ ಉಪಬಂಧಗಳನ್ನು ರಾಜ್ಯ ಸರ್ಕಾರವು ಅಧಿಸೂಚನೆಯ ಮೂಲಕ ಮಾಡಬಹುದು:

ಪರಂತು ಈ ಅಧಿನಿಯಮದ ಪ್ರಾರಂಭದ ದಿನಾಂಕದಿಂದ ಎರಡು ವರ್ಷಗಳು ಮುಕ್ತಾಯವಾದ ತರುವಾಯ ಅಂಥ ಆದೇಶವನ್ನು ಮಾಡತಕ್ಕದ್ದಲ್ಲ.

41. ನಿಯಮಗಳ ರಚನಾಧಿಕಾರ.- (1) ಈ ಅಧಿನಿಯಮದ ಉದ್ದೇಶಗಳನ್ನು ಕಾರ್ಯಗತಗೊಳಿಸುವುದಕ್ಕಾಗಿ ಪೂರ್ವ ಪ್ರಕಟಣೆಯ ತರುವಾಯ, ರಾಜ್ಯ ಸರ್ಕಾರವು ಅಧಿಸೂಚನೆಯ ಮೂಲಕ, ನಿಯಮಗಳನ್ನು ರಚಿಸಬಹುದು.

(2) ಈ ಅಧಿನಿಯಮದ ಅಡಿಯಲ್ಲಿ ರಚಿಸಲಾದ ಪ್ರತಿಯೊಂದು ನಿಯಮ ಅಥವಾ ಅಧಿಸೂಚನೆಯನ್ನು, ಅದನ್ನು ರಚಿಸಿದ ತರುವಾಯ, ಆದಷ್ಟು ಬೇಗನೆ, ರಾಜ್ಯ ವಿಧಾನಮಂಡಲದ ಪ್ರತಿಯೊಂದು ಸದನದ ಮುಂದೆ, ಅದು ಅಧಿವೇಶನದಲ್ಲಿರುವಾಗ, ಒಂದು ಅಧಿವೇಶನದಲ್ಲಿ ಅಥವಾ ಎರಡು ಅಥವಾ ಹೆಚ್ಚಿನ ನಿರಂತರ ಅಧಿವೇಶನಗಳಲ್ಲಿ ಅಡಕವಾಗಬಹುದಾದ ಒಟ್ಟು ಮೂವತ್ತು ದಿನಗಳ ಅವಧಿಯವರೆಗೆ ಮಂಡಿಸತಕ್ಕದ್ದು ಮತ್ತು ಮೇಲೆ ಹೇಳಿದ ಅಧಿವೇಶನಗಳ ಅಥವಾ ನಿರಂತರ ಅಧಿವೇಶನಗಳ ನಿಕಟ ತರುವಾಯದ ಅಧಿವೇಶನದ ಮುಕ್ತಾಯಕ್ಕೆ ಮೊದಲು ಆ ನಿಯಮ ಅಥವಾ ಅಧಿಸೂಚನೆಯಲ್ಲಿ ಯಾವುದೇ ಮಾರ್ಪಾಟನ್ನು ಮಾಡಬೇಕೆಂದು ಉಭಯ ಸದನಗಳೂ ಒಪ್ಪಿದರೆ ಅಥವಾ ಆ ನಿಯಮ ಅಥವಾ ಅಧಿಸೂಚನೆಯ ಮಾಡಕೂಡದೆಂದು ಉಭಯ ಸದನಗಳೂ ಒಪ್ಪಿದರೆ, ಆ ನಿಯಮ ಅಥವಾ ಅಧಿಸೂಚನೆಯ ಆ ಮಾರ್ಪಾಟನ್ನು ಅಥವಾ ರದ್ದತಿಯನ್ನು ಅಧಿಸೂಚಿಸಿದ ದಿನಾಂಕದಿಂದ ಅಂಥ ಮಾರ್ಪಾಟಾದ ರೂಪದಲ್ಲಿ ಮಾತ್ರ ಪರಿಣಾಮಕಾರಿಯಾಗಿರತಕ್ಕದ್ದು ಅಥವಾ ಸಂದರ್ಭಾನುಸಾರವಾಗಿ ಯಾವುದೇ ಪರಿಣಾಮ ಹೊಂದಿರತಕ್ಕದ್ದಲ್ಲ; ಆದಾಗ್ಯೂ ಅಂಥ ಯಾವುದೇ ಮಾರ್ಪಾಟು ಅಥವಾ ರದ್ದತಿಯು ಆ ನಿಯಮ ಅಥವಾ ಅಧಿಸೂಚನೆಯ ಅಡಿಯಲ್ಲಿ ಸಿಂಧುತ್ವಕ್ಕೆ ಪೂರ್ವಾಗ್ರಹವಾಗಿ ಹಿಂದೆ ಮಾಡಿದ ಯಾವುದೇ ಕೃತ್ಯದ ಮಾನ್ಯತೆಗೆ ಬಾಧಕವಾಗತಕ್ಕದ್ದಲ್ಲ.

42. ವಿನಿಯಮಗಳ ರಚನಾಧಿಕಾರ.- ಪ್ರಾಧಿಕಾರವು, ಈ ಅಧಿನಿಯಮದ ಉಪಬಂಧಗಳಿಗೆ ಮತ್ತು 41ನೇ ಪ್ರಕರಣದ ಅಡಿಯಲ್ಲಿ ಮಾಡಲಾದ ನಿಯಮಗಳಿಗೆ ಒಳಪಟ್ಟು ಮತ್ತು ರಾಜ್ಯ ಸರ್ಕಾರದ ಪೂರ್ವ ಮಂಜೂರಾತಿಯೊಂದಿಗೆ ಈ ಅಧಿನಿಯಮದ ಉದ್ದೇಶಗಳನ್ನು ಜಾರಿಗೊಳಿಸುವುದಕ್ಕಾಗಿ ಅಧಿಸೂಚನೆಯ ಮೂಲಕ ವಿನಿಯಮಗಳನ್ನು ರಚಿಸಬಹುದು.

ಅನುಸೂಚಿ

[2ನೇ ಪ್ರಕರಣದ (ಚಿ) ಖಂಡವನ್ನು ಮತ್ತು 19ನೇ ಪ್ರಕರಣವನ್ನು ನೋಡಿ]

ಸರ್ವಜ್ಞ ಕ್ಷೇತ್ರ, ಪಾರಂಪರಿಕ ಕೇಂದ್ರಗಳು ಮತ್ತು ಸ್ಮಾರಕಗಳು

ಸಂಖ್ಯೆ	ತಾಣಗಳು
1	ಅಬಲೂರು
2	ಮಾಸೂರು
3	ಹಿರೇಕೆರೂರು
4	ಪ್ರಾಧಿಕಾರದ ಅಭಿಪ್ರಾಯದಲ್ಲಿ ಮೇಲಿನ ತಾಣಗಳಿಗೆ ಸಂಪರ್ಕವನ್ನು ಕಲ್ಪಿಸುವ ಹಾವೇರಿ ಜಿಲ್ಲೆಯಲ್ಲಿನ ಇತರ ತಾಣಗಳು

ಉದ್ದೇಶಗಳು ಮತ್ತು ಕಾರಣಗಳ ಹೇಳಿಕೆ

ಸರ್ವಜ್ಞ ಕರ್ನಾಟಕದ ಶ್ರೇಷ್ಠ ಪ್ರಾಚೀನ ಕವಿ ಮತ್ತು ಸಮಾಜ ಸುಧಾರಕರಾಗಿದ್ದರು ಮತ್ತು ಅವರು ಹಾವೇರಿ ಜಿಲ್ಲೆಯ ಹಿರೇಕೆರೂರು ತಾಲ್ಲೂಕಿನ ಅಬಲೂರಿನಲ್ಲಿ ಜನಿಸಿದರು. ಆದ್ದರಿಂದ, ಸರ್ವಜ್ಞರ ಜನ್ಮ ಸ್ಥಳವನ್ನು ಒಳಗೊಂಡು ಹಿರೇಕೆರೂರಿನ ಸುತ್ತಮುತ್ತಲಿರುವ ಹಾವೇರಿ ಜಿಲ್ಲೆಯ ಹಿರೇಕೆರೂರು ತಾಲ್ಲೂಕಿನ ಅಬಲೂರು ಮತ್ತು ಮಾಸೂರುಗಳ ಸರ್ವಜ್ಞ ಕ್ಷೇತ್ರವನ್ನು ಅಂತರರಾಷ್ಟ್ರೀಯ ಯಾತ್ರಾ ಮತ್ತು ಪ್ರವಾಸಿ ಕೇಂದ್ರವನ್ನಾಗಿ ಅಭಿವೃದ್ಧಿಗೊಳಿಸಲು ಮತ್ತು ನಿರ್ವಹಣೆ ಮಾಡಲು ಪ್ರಾಧಿಕಾರವನ್ನು ಸ್ಥಾಪಿಸುವುದು ಅವಶ್ಯಕವೆಂದು ಪರಿಗಣಿಸಿದೆ.

ಆದ್ದರಿಂದ, ಈ ವಿಧೇಯಕ.

ಆರ್ಥಿಕ ಜ್ಞಾಪನ ಪತ್ರ

ಪ್ರಸ್ತಾವಿತ ಶಾಸನಾತ್ಮಕ ಕ್ರಮದಿಂದ ವರ್ಷವೊಂದಕ್ಕೆ ಸುಮಾರು ಐದು ಕೋಟಿ ರೂಪಾಯಿಗಳ ಆವರ್ತಕ ವೆಚ್ಚ ಉಂಟಾಗುವುದು.

ಪ್ರತ್ಯಾಯೋಜಿತ ಶಾಸನ ರಚನಾಧಿಕಾರದ ಕುರಿತು ಜ್ಞಾಪನ ಪತ್ರ

ಖಂಡ 4:	(3)ನೇ ಉಪಖಂಡವು, ಸರ್ಕಾರೇತರ ಸದಸ್ಯರು ಪಡೆಯುವ ಭತ್ಯೆಗಳ ಕುರಿತು ನಿಯಮಗಳ ಮೂಲಕ ನಿಯಮಿಸಲು ರಾಜ್ಯ ಸರ್ಕಾರಕ್ಕೆ ಅಧಿಕಾರವನ್ನು ನೀಡುತ್ತದೆ.
ಖಂಡ 8:	(2)ನೇ ಉಪಖಂಡದ (ಎ), (ಬಿ), ಮತ್ತು (ಸಿ) ಬಾಬುಗಳ ಅನುಕ್ರಮವಾಗಿ, (i) ಪ್ರಾಧಿಕಾರವು ಎಲ್ಲಾ ಕರಾರುಗಳನ್ನು ಮಾಡಿಕೊಳ್ಳಲು ಮತ್ತು ನೆರವೇರಿಸಲು ಒಳಪಡತಕ್ಕ ನಿಯಮಗಳನ್ನು ರಚಿಸಲು ರಾಜ್ಯ ಸರ್ಕಾರಕ್ಕೆ ಅಧಿಕಾರವನ್ನು ನೀಡುತ್ತದೆ. (ii) ಈ ಅಧಿನಿಯಮದ ಉದ್ದೇಶಗಳಿಗಾಗಿ ಪ್ರಾಧಿಕಾರವು ಅಗತ್ಯವಾದ ಯಾವುದೇ ಮೊಬಲಗನ್ನು ಸಾಲವಾಗಿ ಪಡೆಯುವ ಷರತ್ತುಗಳ ಕುರಿತು ನಿಯಮಗಳನ್ನು ರಚಿಸಲು ರಾಜ್ಯ ಸರ್ಕಾರಕ್ಕೆ ಅಧಿಕಾರವನ್ನು ನೀಡುತ್ತದೆ, ಮತ್ತು (iii) ಯಾವ ನಿರ್ಬಂಧಗಳು, ಷರತ್ತುಗಳು ಮತ್ತು ಪರಿಮಿತಿಗಳಿಗೆ ಒಳಪಟ್ಟು ಮುಕ್ತ ಸ್ಥಳಗಳನ್ನು ರೂಪಿಸುವ ಅಥವಾ ಕಟ್ಟಡದ ಉದ್ದೇಶಗಳ ಅಥವಾ ಅಭಿವೃದ್ಧಿ ಯೋಜನೆಯ ಯಾವುದೇ ಇತರ ರೀತಿಯ ಉದ್ದೇಶದ ಕುರಿತು ನಿಯಮಗಳನ್ನು ರಚಿಸಲು ರಾಜ್ಯ ಸರ್ಕಾರಕ್ಕೆ ಅಧಿಕಾರವನ್ನು ನೀಡುತ್ತದೆ.
ಖಂಡ 12:	(1)ನೇ ಉಪಖಂಡವು, ಪ್ರಾಧಿಕಾರವು ನೇಮಕ ಮಾಡುವ ಅಂಥ ನೌಕರರ ಸಂಖ್ಯೆಯ ಕುರಿತು ನಿಯಮಗಳನ್ನು ರಚಿಸಲು ರಾಜ್ಯ ಸರ್ಕಾರಕ್ಕೆ ಅಧಿಕಾರವನ್ನು ನೀಡುತ್ತದೆ ಮತ್ತು (3)ನೇ ಉಪಖಂಡವು, ಪ್ರಾಧಿಕಾರದ ನೌಕರರ ಸಂಬಳಗಳು, ಭತ್ಯೆಗಳು ಮತ್ತು ಇತರ ಸೇವಾ ಷರತ್ತುಗಳ ಕುರಿತು ನಿಯಮಗಳನ್ನು ರಚಿಸಲು ರಾಜ್ಯ ಸರ್ಕಾರಕ್ಕೆ ಅಧಿಕಾರವನ್ನು ನೀಡುತ್ತದೆ.
ಖಂಡ 16:	(4)ನೇ ಉಪಖಂಡವು, ಸುತ್ತಿಸಲಾದ ಟಿಪ್ಪಣಿಯಲ್ಲಿಯ ಒಳಾಂಶಗಳನ್ನು ನಿಯಮಗಳ ಮೂಲಕ ನಿಯಮಿಸಲು ರಾಜ್ಯ ಸರ್ಕಾರಕ್ಕೆ ಅಧಿಕಾರವನ್ನು ನೀಡುತ್ತದೆ.
ಖಂಡ 19:	ಅನುಸೂಚಿಯನ್ನು ತಿದ್ದುಪಡಿ ಮಾಡುವುದಕ್ಕೆ ಸರ್ಕಾರವು ಅನುಸರಿಸಬೇಕಾದ ಪ್ರಕ್ರಿಯೆಯ ಕುರಿತು ನಿಯಮಗಳ ಮೂಲಕ ನಿಯಮಿಸಲು ರಾಜ್ಯ ಸರ್ಕಾರಕ್ಕೆ ಅಧಿಕಾರವನ್ನು ನೀಡುತ್ತದೆ.
ಖಂಡ 30:	ಪ್ರಾಧಿಕಾರವು ತಯಾರಿಸಬೇಕಾದ ಆಯವ್ಯಯ ನಮೂನೆಯ ಕುರಿತು ನಿಯಮಗಳ ಮೂಲಕ ನಿಯಮಿಸಲು ರಾಜ್ಯ ಸರ್ಕಾರಕ್ಕೆ ಅಧಿಕಾರವನ್ನು ನೀಡುತ್ತದೆ.
ಖಂಡ 31:	ಪ್ರಾಧಿಕಾರವು ಲೆಕ್ಕಪತ್ರಗಳ ಪುಸ್ತಕಗಳು, ಇತರ ರಿಜಿಸ್ಟರುಗಳು ಮತ್ತು ವಾರ್ಷಿಕ ಲೆಕ್ಕಪತ್ರಗಳ ವಿವರಗಳನ್ನು ನಿರ್ವಹಿಸಬೇಕಾದ ವಿಧಾನದ ಕುರಿತು ನಿಯಮಗಳ ಮೂಲಕ ನಿಯಮಿಸಲು ರಾಜ್ಯ ಸರ್ಕಾರಕ್ಕೆ ಅಧಿಕಾರವನ್ನು ನೀಡುತ್ತದೆ.
ಖಂಡ 41:	ಅಧಿನಿಯಮದ ಉದ್ದೇಶಗಳನ್ನು ಜಾರಿಗೊಳಿಸಲು ಪೂರ್ವ ಪ್ರಕಟಣೆಯ ತರುವಾಯ ನಿಯಮಗಳನ್ನು ರಚಿಸಲು ರಾಜ್ಯ ಸರ್ಕಾರಕ್ಕೆ ಅಧಿಕಾರವನ್ನು ನೀಡುತ್ತದೆ.

ಪ್ರಸ್ತಾವಿತ ಶಾಸನ ರಚನಾಧಿಕಾರದ ಪ್ರತ್ಯಾಯೋಜನೆಯು ವಾಡಿಕೆಯ ಸ್ವರೂಪದ್ದಾಗಿದೆ.

ಆರ್. ಅಶೋಕ

ಕಂದಾಯ ಮಂತ್ರಿಗಳು

ಎಂ.ಕೆ. ವಿಶಾಲಾಕ್ಷಿ

ಕಾರ್ಯದರ್ಶಿ (ಪ್ರ)

ಕರ್ನಾಟಕ ವಿಧಾನ ಸಭೆ



KARNATAKA LEGISLATIVE ASSEMBLY

FIFTEENTH LEGISLATIVE ASSEMBLY

SIXTH SESSION

THE SARVAJNA KSHETRA DEVELOPMENT AUTHORITY BILL, 2020

(LA Bill No. 16 of 2020)

A Bill to provide for the establishment of an Authority for the development and maintenance of Sarvajna Kshetra including the place of birth of Sarvajna and other places situated in and around Hirekerur, Abalur and Masur of the Hirekerur taluk in Haveri district.

Whereas, it is expedient to provide for the establishment of an Authority for the development and maintenance of the Sarvajna Kshetra including the place of birth of Sarvajna and other places situated in and around Hirekerur, Abalur and Masur of the Hirekerur taluk in Haveri district into an international pilgrim, cultural and tourist center;

Be it enacted by the Karnataka State Legislature in the Seventy first year of the Republic of India, as follows:-

CHAPTER I PRELIMINARY

1. Short title and commencement.- (1) This Act may be called Sarvajna Kshetra Development Authority Act, 2020.

(2) It shall come into force on such date as the State Government may, by notification, in the Official Gazette appoint.

2. Definitions.- In this Act, unless the context otherwise requires,-

(a) "Amenity" includes road, streets, sub-ways, lighting, drainage, sanitation, electricity and water supply or other convenience, public works, market places, post offices, banks, hospitals, dispensaries, public stations, fair price shops, milk booths, libraries, recreation centres, service stations of any public utility service authorized by the Authority or other facility; and such other amenities as the State Government may by notification specify;

(b) "Authority" means the Sarvajna Kshetra Development Authority constituted under section 3;

(c) "Chairman" means the Chairman of the Authority;

(d) "Commissioner" means the Commissioner of the Authority appointed under section 10;

(e) "Fund" means fund of the Authority;

- (f) "Government" means Government of Karnataka;
- (g) 'Sarvajna Kshetra' means the whole of the area comprising the sites specified in the Schedule but excluding the area referred to as protected area under the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (Central Act 24 of 1958) and such other areas declared by the State Government, by notification;
- (h) "Member" means a member of the Authority;
- (i) "Regulations" means regulations of the Authority made under section 42;
- and
- (j) "Schedule" means the schedule appended to this Act.

CHAPTER – II

AUTHORITY AND ITS EMPLOYEES

3. Sarvajna Kshetra Development Authority.- (1) The State Government shall as soon as may be, after the commencement of this Act, constitute for the purposes of this Act, the Authority called the Sarvajna Kshetra Development Authority.

(2) The Authority shall have its headquarters at such place as may be determined by the Authority from time to time.

(3) The Authority shall be a body corporate by the name aforesaid, having perpetual succession and a common seal with power to acquire, hold and dispose of property, both movable and immovable, and enter into contract, and shall by the said name, sue and be sued.

(4) The Authority shall consist of the following members, namely: -

- (a) The Chief Minister, who shall be the Chairman;
- (b) The Minister in charge of Haveri District who shall be the Vice Chairman;
- (c) The Minister in charge of Kannada and Culture- Member
- (d) The Minister in charge of Revenue - Member
- (e) The Minister in charge of Finance. - Member
- (f) The Minister in charge of Tourism. - Member
- (g) The Minister in charge of Public Works . - Member
- (h) The Members of the Lok Sabha and Legislative Assembly who are representing the part or whole of Sarvajna Kshetra and Members of the Rajyababha and Legislative Council who are registered as voter in Sarvajna Kshetra. - Members
- (i) The Principal Secretary or Secretary to Government, Kannada and Culture Department. - Ex-officio Member
- (j) The Principal Secretary or Secretary to Government, Revenue Department. - Ex-officio Member
- (k) The Additional Chief Secretary or Principal Secretary or Secretary to Government, Finance Department. - Ex-officio Member

- (l) The Principal Secretary or Secretary to Government, Rural Development and Panchayat Raj Department. - Ex-officio Member
- (m) The Principal Secretary or Secretary to Government, Public Works Department. - Ex-officio Member
- (n) The Regional Commissioner of Belgavi Region. - Ex-officio Member
- (o) The Deputy Commissioner of the Haveri District - Ex-officio Member
- (p) The Director, Department of Archaeology and Museums - Ex-officio Member
- (q) The Joint Director, Karnataka Land Army Corporation - Ex-officio Member
- (r) The Chief Executive Officer, Zilla Panchayat, Haveri. - Ex-officio Member
- (s) The Executive Engineer, Public Works Department, Haveri - Ex-officio Member
- (t) The President, Grama Panchayats of Abalur and Masur - Ex-officio Member
- (u) Not exceeding Three non-official members nominated by the State Government - Non-official Members
- (v) Not exceeding five persons who are expert in history and heritage of servajna to be nominated by the State Government - Non-official Members
- (w) The Commissioner of the Authority . - Member Secretary.

4. Term of office and conditions of services.- (1) Subject to the pleasure of the State Government the non-official members nominated by the State Government shall hold office for a period of three years.

(2) Any non-official member may resign his office by writing under his hand addressed to the State Government but shall continue in office until his resignation is accepted.

(3) The non-official members shall receive such allowance as may be prescribed.

5. Disqualification for office of membership.- Non-official members shall be disqualified for being appointed as and for being a member if he,-

- (a) has been convicted and sentenced to imprisonment for an offence, which in the opinion of the State Government involves moral turpitude; or
- (b) is of unsound mind and stands so declared by a competent court; or
- (c) is an undischarged insolvent; or

- (d) has been removed or dismissed from service of the Central Government or a State Government or a body or corporation owned or controlled by the Central Government or a State Government; or
- (e) has directly or indirectly by himself or as partner, has any share or interest in any work done by the order of the Authority in any contract or employment with or under or by or on behalf of the Authority; or
- (f) is employed as a paid legal practitioner on behalf of the Authority or accepts employment as legal practitioner against the Authority;

Provided that no person shall be disqualified under clause (e) or be deemed to have any share or interest in any contract or employment within the meaning of the said clause by reason only of his having a share or interest in any newspaper in which any advertisement relating to the affairs of the Authority is inserted.

6. Removal of non-official member.- The State Government shall remove a non-official member if,-

- (a) he becomes subject to any of the disqualifications mentioned in section 5:
- (b) he refuses to act or becomes incapable of acting; or
- (c) he without obtaining leave of absence from the Authority absents from three consecutive meetings of the Authority;
- (d) in the opinion of the State Government he has so abused his position as to render his continuance in office detrimental to the public interest:

Provided that no member shall be removed under this clause unless he has been given an opportunity of making his representation against the proposal.

7. Eligibility for reappointment.- Any person ceasing to be a member shall unless removed under section 6, be eligible for re-appointment as a member.

8. Powers of the Authority (1) The Authority shall have power generally to do anything that in its opinion is necessary to do, to give effect to the intent and provisions of this Act:

Provided that nothing contained in this section shall be deemed to authorize the Authority to perform any such act as is specifically laid in the Act to be performed by any other authority.

(2) Without prejudice to the generality of sub-section (1), the Authority shall have power,-

- (a) to enter into and perform all such contracts as it may consider necessary or expedient for carrying out any of the purposes of this Act subject to such rules as may be prescribed and every contract shall be made on behalf of the Authority by the Commissioner:

Provided that no contract involving expenditure of rupees five lakhs and more shall be made without the previous sanction of the State Government;

- (b) to borrow any sum required for the purposes of this Act from time to time with the previous sanction of the State Government and subject to such conditions as may be prescribed in this behalf;

- (c) to lease, sell or otherwise transfer any movable or immovable property which belongs to it and to appropriate or apply any land vested in or

acquired by it, subject to section 38 and 39 and to such restrictions, conditions and limitations as may be prescribed, for the formation of open spaces or for building purposes or in any other manner for the purpose of a development scheme with prior approval of the State Government.

9. Sub-committees of the Authority. - (1) The Authority may for any specific purpose constitute one or more sub-committees consisting of the Commissioner as the Chairman and such other members not exceeding five on each sub-committee. Any subject deliberated and decided in the sub-committee shall be placed before the meeting of the authority for approval or rejection. The decision may be remanded back to the sub-committee.

(2) The sub-committees shall exercise such of the powers and perform such duties of the Authority, which are delegated to them by the Authority.

(3) Each sub-committee shall meet at-least once in three months and shall observe such rules of procedure in regard to the transaction of business at its meeting as may be provided by regulations.

10. Appointment of Commissioner.- (1) The State Government shall appoint an officer not below the rank of a Deputy Secretary to Government, to be the Commissioner of the Authority.

(2) The Commissioner shall receive such salary and other allowances as the State Government may, from time to time, determine. The conditions of service of the Commissioner shall be governed by the Karnataka Civil Service Rules.

(3) The State Government may, from time to time, grant leave of absence for such period as it thinks fit to the Commissioner.

11. Powers and duties of the Commissioner.- (1) The Commissioner shall be the Chief Executive and Administrative Officer of the Authority.

(2) The Commissioner shall, in addition to performing such functions as conferred on him by or under this Act or under any law for the time being in force,-

- (a) Implement the resolutions of the Authority;
- (b) conduct the business of the Authority and to make the correspondence;
- (c) carry out and execute such schemes and works as the Government may direct and incur necessary expenditure thereof;
- (d) be responsible for implementing the schemes of the Authority;
- (e) operate the Bank accounts of the Authority and be responsible for maintaining the accounts of the Authority ;
- (f) exercise supervision and control over the officers and servants of the Authority in matters of executive, administrative and service conditions of such officers and servants and regulation of their pay and allowances;
- (g) furnish to the State Government the copies of the minutes of the Authority and any written, or other information which the State Government may, from time to time, call for;

(h) discharge such other functions which are conferred on him by or under this Act or any other law for the time being in force.

12. Employees of the Authority.- (1) Subject to such rules as may be prescribed, the Authority may appoint such number of employees as it may find necessary for effective implementation of the Act:

Provided that, the State Government shall appoint a Controller of Finance and Accounts not below the rank of Group 'A' Junior Scale Officer' on deputation from the Karnataka State Audit and Accounts Service.

(2) The Controller of Finance and Accounts shall report to the Commissioner and shall ensure that financial rules are followed and accounts are kept up to date, by presenting a true and fair picture of the financial affairs of the Authority.

(3) The method of recruitment, salaries, allowances and other conditions of service of the employees referred to in sub-section (1), shall be such as may be prescribed.

(4) The Commissioner shall be the appointing authority in respect of employees of the Authority and shall exercise general control and supervision over the personnel of the Authority.

13. General disqualification for services under the Authority.- No person who has directly or indirectly by himself or through his partner or through his agent, has any share or interest in any contract, by or on behalf of the Authority shall become or remain an officer or employee of the Authority.

14. Meetings of the Authority.- (1) Meetings of the Authority shall be convened by the Commissioner, with the previous approval of the Chairman at such intervals as the Chairman may deem fit and shall be held at such place, as may be determined by the Chairman:

Provided that the Authority shall meet at least twice in a calendar year.

(2) Every meeting shall be presided over by the Chairman and if for any reason the Chairman is unable to attend any meeting, the Vice Chairman shall preside over the meeting. If, for any reason the Vice Chairman is unable to attend the meeting, any other member chosen by the members present at the meeting, shall preside over the meeting.

(3) Decisions of the Authority shall be, by unanimous affirmative vote of the members present and voting. If there is any difference of opinion on any particular subject coming for decision before the Authority, the Commissioner shall refer the matter to the State Government and the decision of the State Government in such matters shall be final.

(4) The Commissioner of the Authority shall give effect to the decisions of the Authority:

Provided that, if in the opinion of the Commissioner any resolution of the Authority contravenes any provision of this Act or any other law or of any rule or notification or regulation made or issued under this Act or any other law or of any order passed by the State Government or is prejudicial or detrimental to the interests of the Authority or the development and maintenance of the site, he shall within fifteen days of the passing of the resolution, refer the matter to the State Government for orders thereon and inform the Authority at its next meeting, of the action taken by him and until orders of the State Government on receipt of such reference, the Commissioner shall not be bound to give effect to such resolution.

(5) The Authority may by regulation specify the procedure with regard to the transaction of business at its meetings, not inconsistent with the provisions of this Act or the rules made thereunder.

15. Proceedings presumed to be good and valid.- No disqualification of or defect in the appointment of any person acting as Chairman, Vice-Chairman or member shall be deemed to vitiate any act or proceeding of the Authority if such act or proceeding is otherwise in accordance with the provisions of this Act.

16. Decisions of the Authority by circulation of note.- (1) The Chairman may direct that any case may, instead of being brought up for discussion at a meeting of the Authority, be circulated by sending a note in the prescribed form amongst the members of the Authority for opinion. If all the members unanimously agree for the proposal contained in the note circulated, it shall be deemed to be affirmative decision of the Authority and further action taken accordingly. If there is any difference of opinion on any particular subject taken up for the decision of the Authority by circulation, the Commissioner shall refer the matter to the State Government, and the decision of the State Government thereon shall be final.

(2) In cases which are circulated for opinion under sub-section (1), if any member fails to communicate his opinion to the Commissioner by a date to be specified in the note, it shall be presumed that such member has accepted the proposal contained in the note circulated.

(3) The provisions of section 14 shall mutatis mutandis apply to the decisions of the Authority by circulation under this section.

(4) The Contents of the note for circulation made under sub-section(1) shall be prescribed.

17. Power of Chairman to take certain decisions.- Where the Chairman is of the opinion that a matter is so urgent that it cannot wait or that a matter is so frivolous, not necessitating convening of a meeting of the Authority, under section 14 or for decision of the Authority by circulation under section 16, he may

pass such orders as he may deem fit and it shall be implemented in the same manner as the decisions of the Authority:

Provided that every decision so taken by the Chairman under this section shall be placed before the Authority at its next meeting.

CHAPTER – III

DEVELOPMENT AND MAINTENANCE OF SARVAJNA KSHETRA

18. Heritage sites at Sarvajna Kshetra.- (1) Notwithstanding any custom, tradition, practice or terms of any trust created and subsisting under any law for the time being in force, the full control, ownership, management and superintendence of all or any of the heritage sites specified in the Schedule if not already vested in the State Government shall if required, be acquired by the State Government in accordance with the Right to Fair Compensation and Transparency in land Acquisition, Rehabilitation and Resettlement Act, 2013 (Central Act No. 30 of 2013) and such land shall thereafter be transferred to the Authority from the date notified by the State Government:

Provided that the land acquired under this Act shall be deemed to have been acquired for public purpose under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Central Act 30 of 2013).

(2) The State Government may by general or special order make transitory provisions, if in the opinion of the State Government it is expedient to do so.

19. Power to amend the Schedule.- The State Government may by notification amend the Schedule by adding or modifying any entry therein, after following such procedure as may be prescribed.

20. Preparation of development plan, its approval and execution.- (1) The Authority shall, as soon as may be, after its constitution prepare a plan for the development and maintenance of Sarvajna Kshetra into international pilgrim, cultural and tourist centre and a centre for deliberation and propagation of the tenets of poet Sarvajna. The Development plan may include,-

- (a) Conservation and restoration of any heritage site or structure and programmes for its maintenance and reconstruction;
- (b) proposals for acquiring land by acquisition or purchase, exchange or otherwise, which in the opinion of the Authority is necessary for execution of the development plan;
- (c) putting up public parks, horticultural or zoological gardens, fountains, artificial water falls, game parks, lakes with boating or other water games or such other tourist attractions;

- (d) construction of choultries, lodging houses, cottages, hotels, restaurants and boarding houses to cater to different classes of tourists;
- (e) construction of necessary shopping line or shopping complexes;
- (f) provision of amenities as defined in clause (a) of section 2 and providing drainage, electricity and water supply and sanitation;
- (g) raising any land which the Authority may consider expedient to facilitate its plan of action in general and for better drainage in particular;
- (h) forming open spaces for the better ventilation of the area comprised in the Sarvajna Kshetra in any adjoining area;
- (i) construction and reconstruction of buildings, their maintenance and preservation;
- (j) undertake development works in the area of Sarvajna Kshetra or the area decided by the Authority;
- (k) providing facilities for communication and transport;
- (l) such adjustments and agreements with the existing religious institutions in the geographical area of developmental plan which can be allowed to continue so long as they fit into the scheme of the development plan;
- (m) any other matter which in the opinion of the Authority, is expedient and incidental, to develop and maintain the Sarvajna Kshetra as a cultural centre, place of pilgrimage and International Tourist Center and a centre for deliberation not only of Sarvajna but also of his contemporaries and disciples; and to protect and develop other places of importance connected with the life and teachings of Sarvajna and his contemporaries, and research centre for studies and specialized library on the subject;
- (n) excavation and exploration of archaeological nature to unearth ancient monuments if any believed to be buried in any of the historical and heritage sites within the territorial limits of the Authority;

Provided that nothing contained in this clause shall be deemed to override the provisions of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (Central Act 24 of 1958).

(2) The development plan prepared under sub-section (1) shall be forwarded by the Commissioner to the State Government for its approval. The State Government may approve the plan with or without any modifications.

(3) After approval of the development plan under sub-section (2), the State Government may, on the recommendations of the Authority make such modifications to the plan as it deems necessary, from time to time.

(4) The Authority shall have power to undertake works and incur expenditure for the execution of the development plan approved by the State Government under this section.

21. Maintenance of Sarvajna Kshetra.- The State Government may by rules on the recommendation of the Authority or otherwise make provision for the maintenance of Sarvajna Kshetra which shall include the manner in which

the properties of the Authority including the heritage sites can be employed, the rates, fees or other charges that can be collected from the devotees, pilgrims, tourists and other visitors for the various facilities that they could make use of and for such other matters as may be expedient from the premises of the heritage sites; power to recover rent or damages as arrears of land revenue etc.

22. Delegation of powers of the State Government to the Authority.-

Notwithstanding anything contained in the Karnataka Ancient and Historical Monuments and Archaeological Sites and Remains Act, 1961 (Karnataka Act 7 of 1962) the State Government may by notification delegate any of its powers to be exercisable by it except power to make rules to the Authority and on the issuance of such notification the Authority shall have such powers and perform such functions as may be specified in the notification.

23. Application of the Karnataka Public Premises (Eviction of Unauthorised Occupants) Act, 1974 to the Authority Premises.- (1) Subject to the provisions of sub-section (2) the State Government, may by notification provide from such date as may be specified in the notification that the Karnataka Public Premises (Eviction of Unauthorised Occupants) Act, 1974 (Karnataka Act 32 of 1974) shall apply to premises belonging to, vesting in, or leased by the Authority as that Act applies in relation to public premises.

(2) On a notification being issued under sub-section (1), the aforesaid Act, and the rules made thereunder shall apply to the premises of the Authority with the following modifications, that is to say,-

- (a) the State Government may appoint any officer of the State Government or of the Authority as it thinks fit, to be the competent officer for the purposes of the aforesaid Act; and
- (b) reference to Public Premises in that Act and those rules shall be deemed to be references to premises of the Authority and references to the State Government in sections 6,7,8,14, 15, 16 and 17 of that Act shall be deemed to be references to the Authority.

24. No other authority or person to undertake development without permission of the Authority.- (1) Notwithstanding anything contained in any law for the time being in force, except with the previous permission of the Authority no authority or person shall undertake any development within Sarvajna Kshetra of the types as the Authority may from time to time specify by notification published in the Official Gazette.

(2) No local authority shall grant permission for any development referred to in sub-section (1), within Sarvajna Kshetra, unless the Authority has granted permission for such development.

(3) Any authority or person desiring to undertake development referred in sub-section (1) shall apply in writing to the Authority for permission to undertake such development.

(4) The Authority may, after making such inquiry as it deem necessary grant such permission with or without conditions, as it may deem fit to impose or refuse to grant such permission.

(5) Any authority or person aggrieved by the decision of the Authority under sub-section (4) may, within thirty days from the date of the decision, appeal

against such decision to the State Government, whose decision thereon shall be final:

Provided that, where the aggrieved authority submitting such appeal is under the administrative control of the Central Government, the appeal shall be decided by the State Government, after consultation with the Central Government.

25. Promotion of Tourism and pilgrimage by the Authority.- The Authority may organize programmes and activities for promotion of tourism, cultural, historical and pilgrimage importance-to give wider publicity to the heritage sites. Such programmes may include,-

- (a) Sarvajna Jayanthi Utsava;
- (b) Sarvajna Sahityotsava;
- (c) Art Exhibitions and Sales;
- (d) Seminars, Symposia, workshops; and
- (e) Annual Fairs and Festivals of special nature.

26. Delegation of powers.- (1) The State Government, may by notification, delegate any of the powers conferred on it by or under this Act, to any other authority, except the power to make rules under section 41.

(2) The Authority may by regulations, delegate any of the powers conferred on it by or under this Act to the Commissioner or other officers of the Authority except the power to make regulations under section 42.

CHAPTER IV FINANCE AND PROPERTY

27. Fund of the Authority.- (1) There shall be a Fund called Sarvajna Kshetra Development Authority Fund.

(2) There shall be credited to the said Fund,-

(i) all grants, subventions, donations and gifts made by the Central Government, State Government, any local authority or any body, whether incorporated or not or any person;

(ii) the amount borrowed by the Authority; and

(iii) all other sums received by or on behalf of the Authority from any source whatsoever.

(3) Except as otherwise directed by the State Government all moneys credited to the Fund shall be invested in any Scheduled Bank or in the State Government Treasury.

(4) The administrative expenses of the Authority including the salaries, allowances and pension if any, payable to the Commissioner and other officer and employees of the Authority shall be defrayed out of the fund of the Authority.

28. Application of the Fund.- The Fund and all property held or vested in the Authority shall be applied for carrying out the purposes of this Act.

29. Grant by the State Government.- The State Government may every year make a grant to the Authority of a sum equivalent to the administrative expenses of the Authority, until the Authority reaches self maintenance stage out of its own resources.

30. Budget of the Authority.- (1) The Authority shall prepare every year, before such date and in such form as may be prescribed, a budget estimate of its income and expenditure for the financial year to commence on the first day of April next following and shall forward it to the State Government for sanction. The Authority may also prepare supplementary Budget Estimates, during the course of any financial year, if necessary.

(2) The State Government shall approve the Budget Estimates and Supplementary Budget Estimates with or without modifications.

(3) In cases of extreme urgency, the Commissioner shall be competent to incur expenditure not exceeding five lakhs of rupees in a financial year, notwithstanding the fact that such expenditure has not been included in the annual or Supplementary Budget Estimate approved by the State Government under sub-section (2).

(4) The Commissioner shall also have power to reappropriate funds from one unit of expenditure to another unit, subject to a maximum of rupees one lakh at a time.

31. Accounts and audit.- (1) The Commissioner shall cause to be maintained such books of accounts and other registers as may be prescribed and shall prepare in the prescribed manner an annual statement of accounts.

(2) The financial year of the Authority shall commence on 1st day of April of each calendar year and shall end on 31st day of March of the succeeding calendar year.

(3) The accounts of the Authority shall be audited annually by the Principal Controller, State Audit and Accounts Department. The Authority or the State Government may order concurrent and special audits also.

(4) The auditor shall, for the purposes of the audit, have access to all the accounts and other records of the Authority.

(5) As soon as may be after the receipt of the annual statement of accounts and the report of the auditor, the Authority shall consider it in its meeting and send a copy of the annual statement of accounts together with a copy of the report of the auditor to the State Government, along with its explanation on the comments made by the auditor, if any, and a statement of action taken by the Authority to remedy the irregularities or loopholes, if any, pointed out by the auditor.

(6) The State Government may after perusal of the report of the auditor, and other documents submitted to it, as in sub-section (5), give such directions as it thinks fit to the Authority and the Authority shall comply with such directions.

32. Reports.- (1) The Authority shall prepare an Annual Report of its working for each financial year and submit it to the State Government along with other reports under section 31.

(2) The Authority shall before such date, in such form and at such intervals as may be prescribed, submit the prescribed reports to the State Government and the State Government shall cause such reports be laid before each House of the State Legislature.

CHAPTER V MISCELLANEOUS

33. Authority not to sell any land within its jurisdiction.- The Authority shall not sell any land within its jurisdiction for any purpose and to any person except with the prior approval of the Government.

34. Certain persons to be public servants.- All members, officers and servants of the Authority, shall be deemed, when acting or purporting to act in pursuance of any of the provisions of this Act, to be public servants within the meaning of section 21 of the Indian Penal Code.

35. Protection of action taken in good faith.- No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or purported to be done under this Act.

36. Default in performance of duty.- (1) If the State Government is satisfied that the Authority has made default in performing any duty imposed on it by or under this Act, it may fix a period for the performance of that duty.

(2) If in the opinion of the State Government, the Authority fails or neglects to perform such duty within the period so fixed for its performance, it shall be lawful for the State Government to direct the Authority to rectify the defaults.

37. Dissolution of the Authority.- (1) The State Government may by notification, declare that with effect from such date as may be specified in the notification, the Authority shall be dissolved:

Provided that no such declaration shall be made by the State Government unless, a resolution to that effect has been moved in and passed by both Houses of the State Legislature.

(2) With effect from the date specified in the notification under sub-section (1),-

(a) all properties, funds and dues which are vested in and realizable by the Authority shall vest in and be realizable by the State Government.

(b) all liabilities enforceable against the Authority shall be enforceable against the State Government to the extent of the properties, funds and dues vested in and realized by the State Government.

38. Control by the State Government.- (1) The State Government shall have general administrative control and supervision over all the activities and affairs of the Authority.

(2) The State Government may call for the records of any proceedings of the Authority, the Commissioner or any officer subordinate to the Authority, for the purpose of satisfying itself as to the correctness, legality or propriety of such proceedings and may pass such order with respect thereto as it thinks fit.

39. State Government's powers to give directions.- The State Government may give such directions to the Authority as in its opinion are necessary or expedient for carrying out the purpose of this Act and it shall be the duty of the Authority, to comply with such directions.

40. Removal of difficulties.- If any difficulty arises in giving effect to the provisions of this Act, the State Government may by notification, make such provisions not inconsistent with the provisions of this Act, as appear to it to be necessary or expedient for removing the difficulty:

Provided that no such notification shall be issued after the expiry of two years from the date of commencement of this Act.

41. Power to make rules.- (1) The State Government may, by notification after previous publication make rules to carry out the purposes of this Act.

(2) Every rule or notification made under this Act shall be laid as soon as may be after it is made, before each House of the State Legislature while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions and if before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or notification or both Houses agree that the rule should not be made, the rule or notification shall, from the date on which the modification or annulment is notified have effect only in such modified form or be of no effect as the case may be; so, however, that any such modification or annulment shall be without, prejudice to the validity of anything previously done under that rule or notification.

42. Power to make regulations.- The Authority may subject to the provisions of this Act and the rules made under section 41 and with the previous sanction of the State Government, by notification make regulations to carry out the purposes of this Act.

Schedule

[See clause (j) of section 2 and 19]

Sarvajna Kshetra, Heritage centers and Monuments

No	Places
1.	Abalur
2.	Masur
3.	Hirekerur
4.	Other Places in Haveri District which in the opinion of the Authority provide connectivity to the above places.

STATEMENT OF OBJECTS AND REASONS

Sarvajna was an greatest ancient Poet and Social Reformer of the ancient Karnataka and he was born in Abalur of Hirekere Taluk in Haveri District. Therefore, it is considered necessary to establish an Authority for the development and maintenance of the Sarvajna Kshetra including the place of birth of Sarvajna and other places situated in and around Hirekerur, Abalur and Masur of Hirekerur Taluk, Haveri District into international pilgrim and tourist Centre.

Hence, the Bill.

FINANCIAL MEMORANDUM

There will be an approximate recurring expenditure of rupees five crores per annum by the proposed legislative measure.

MEMORANDUM REGARDING DELEGATED LEGISLATION

- Clause 4:** sub-clause (3), empowers the State Government to prescribe by rules the allowances receivable by the non-official members;
- Clause 8:** sub-clause (2) item (a), (b) and (c) respectively empowers the State Government to prescribe by rules,-
- (i) the power to enter into and perform all such contracts as the Authority may consider necessary or expedient for carrying out the purposes of the Act;
 - (ii) the conditions subject to which the authority shall have power to borrow any sum required for the purposes of the Act; and
 - (iii) the restrictions, conditions and limitations for the formation of open spaces or for building purposes or in any other manner for the purpose of a development scheme.
- Clause 12:** sub-clause (1), empowers the State Government to prescribe by rules the number of employees to be appointed by the authority; and sub-clause (3) empowers the state Government prescribe by rules the method of recruitment and salaries, allowances other conditions of service of the employees of the authority.
- Clause 16:** sub-clause (4), empowers the State Government to prescribe by rules the contents of the note for circulation.
- Clause 19:** empowers the State Government to prescribe by rules the procedure for amendment of the Schedule.
- Clause 30:** empowers the State Government to prescribe by rules the preparation of the budget estimate.
- Clause 31:** empowers the State Government to prescribe by rules the manner of maintenance of books of accounts and other registers and also preparation of annual statement of accounts.
- Clause 41:** empowers the State Government to make rules after previous publication to carry out the purposes of the Act.

The Proposed delegation of legislative power is normal in character.

R. ASHOKA
Minister for Revenue

M.K. Vishalakshi
Secretary (I/c)
Karnataka Legislative Assembly

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